

NORTH CAROLINA REGISTER

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The Office of Administrative Hearings

Rules Division

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- (1) name, address, telephone numbers, and social security number;
- (2) gender, race, and military service;
- (3) current employer;
- (4) date of birth, birth country, state or province, county or parish, and citizenship; and
- (5) driver's license number and state of issuance.

(b) This online form shall be accompanied by:

- (1) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (2) ~~upload online~~ a statement of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 12 ~~months~~; months and disclosure of any expunged convictions;
- (3) the applicant's renewal fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;
- (4) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;
- (5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .0807 of the Section; and
- (6) a completed affidavit form and public notice statement form.

~~(b)(c)~~ If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

~~(c)(d)~~ The employer of each applicant for a registration renewal shall give the applicant a copy of the online application and completed application, including the completed affidavit form, to serve as a record of application for renewal and shall retain a copy of the online application and affidavit in the guard's personnel file in the employer's office.

~~(d)(e)~~ Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

Authority G.S. 74C-3; 74C-5; 74C-8.1(a); 74C-13; 15A-151(a)(10); 93B-8.1(d).

Notice is hereby given in accordance with G.S. 150B-21.2 that the Alarm Systems Licensing Board intends to amend the rules cited as 14B NCAC 17 .0103, .0105, .0108, .0201, .0202, .0209, .0210, .0301, and .0305.

Link to agency website pursuant to G.S. 150B-19.1(c):
<https://www.ncdps.gov/about-dps/boards-and-commissions/alarm-systems-licensing-board>

Proposed Effective Date: February 1, 2026

Public Hearing:

Date: November 4, 2025

Time: 2:00 p.m.

Location: Conference Room, ASLB Office, 3101 Industrial Drive, Suite 104 Raleigh, NC 27609

Reason for Proposed Action: A recent enactment of the General Assembly, S.L. 2025-51, changed the name of the Board from "Alarm Systems Licensing" to "Security Systems Licensing", thereby necessitating changing numerous references from "alarm" to "security." Additionally, this legislation gender neutralized words such as "Chairman" and changes are being made accordingly. The Board was also given the ability to consider expunged criminal charges and convictions of licensees and registrants.

Comments may be submitted to: Paul Sherwin, 3101 Industrial Drive, Suite 104, Raleigh, NC 27609; phone (919) 788-5320; email paul.sherwin@ncdps.gov

Comment period ends: December 15, 2025

Procedure for Subjecting a Proposed Rule to Legislative Review:

If an objection is not resolved prior to the adoption of the rule, a person may also submit a written objection to the Rules Review Commission. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive letters via U.S. Mail, private courier service, or hand delivery to 1711 New Hope Church Road, Raleigh, North Carolina, or via email to oah.rules@oah.nc.gov. If you have any further questions concerning the submission of objections to the Commission, please review 26 NCAC 05 .0110 or call a Commission staff attorney at 984-236-1850.

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

- ☐ State funds affected
- ☐ Local funds affected
- ☐ Substantial economic impact ($\geq$ \$1,000,000)
- ☐ Approved by OSBM

☒ **No fiscal note required**

CHAPTER 17 - ALARM SYSTEMS LICENSING BOARD

SECTION .0100 - ORGANIZATION AND GENERAL PROVISIONS

14B NCAC 17 .0103 DEFINITIONS

In addition to the definitions under G.S. Chapter 74D, the following definitions shall apply throughout this Chapter:

- (1) "Agency Head" means the ~~Chairman~~ Chair of the ~~Alarm~~ Security Systems Licensing Board.
- (2) "Applicant" means any person, firm, or corporation applying to the Board for a license or registration.
- (3) "Board" means the ~~Alarm~~ Security Systems Licensing Board established by G.S. Chapter 74D.
- (4) "Branch Manager or Operator" means the licensee endowed with the responsibility and liability for a branch office.
- (5) "Branch Office" means a separate but dependent part of a central organization. The establishment of a telephone number or mailing address in the company name constitutes prima facie evidence of a branch office.
- (6) "Chairman" or "Chair" means the ~~Chairman~~ Chair of the ~~Alarm~~ Security Systems Licensing Board.
- (7) "Employee" means:
 - (a) a person who has an agreement with a licensee to perform ~~alarm~~ security systems business activities under the direct supervision and control of the licensee, for whose services any charges are determined imposed and collected by the licensee, and for whose ~~alarm~~ security systems business activities the licensee is legally liable; or
 - (b) a person who solicits customers at a residential or commercial location whose services are compensated by payment of a referral fee or commission by a licensee.
- (8) "Installs" means placing ~~an alarm~~ a security device in a residential or commercial location and includes demonstrating the use of ~~an alarm~~ a security system device for a specific location and function within the protected premises and, with such knowledge of the ~~alarm~~ security system operation, delivering that device to the owner or operator of the protected premises.
- (9) "Knowledge of Specific Applications" means obtaining specific information about the premises which is protected or is to be protected, gained during an on-site visit. Conducting a survey shall be prima facie evidence of knowledge of specific applications.

- (10) "Licensee" means any person licensed pursuant to G.S. Chapter 74D.
- (11) "Monitors" means receiving a signal from a protected premises or contracting with a person, firm or corporation to provide accessible equipment and personnel to receive a signal from ~~an alarm~~ a security device in a protected premises and take action in response.
- (12) "Qualifying Agent" means any person who meets the requirements of G.S. 74D-2(c), provided that no licensee may act as qualifying agent for more than one ~~alarm~~ security systems business without prior authorization of the Board.
- (13) "Responds" means receiving a monitored ~~alarm~~ security signal that indicates the existence of an unauthorized intrusion or taking from a protected premises of a customer and being required by contract to take action upon receipt of that ~~alarm~~ security system signal.
- (14) "Services" means inspecting, testing, repairing or replacing ~~an alarm~~ a security system device within protected premises.

Authority G.S. 74D-2; 74D-5.

14B NCAC 17 .0105 PROHIBITED ACTS

In addition to the prohibited acts set forth elsewhere in this Subchapter and in Chapter 74D of the General Statutes, an applicant, licensee, or registrant who does any of the following shall have his or her application denied or his or her license or registration revoked or suspended:

- (1) displays, causes or permits to be displayed, or has in his or her possession any cancelled, revoked, suspended, fictitious, fraudulently-altered license or registration identification card, or any document simulating a license or registration identification card or purporting to be or to have been issued as a license or registration identification card;
- (2) lends his or her license or registration identification card to another person or allows the use thereof by another;
- (3) displays or represents any license or registration identification card not issued to him or her as being his or her license or registration identification card;
- (4) includes in any advertisement a statement that implies an official State-authorized certification or approval other than this statement: "Licensed by the ~~Alarm~~ Security Systems Licensing Board of the State of North Carolina." Licensees may include their license number;
- (5) includes in the company name the word "police" or other law enforcement designation that implies that the ~~alarm~~ security system company is affiliated with a local, state, or federal law enforcement agency; or

- (6) makes any false statement or gives any false information to a third party provider in connection with any criminal history record check provided to the Board.

Authority G.S. 74D-5; 74D-6; 74D-10.

14B NCAC 17 .0108 CONSUMER CONTRACT AND DISCLOSURE REQUIREMENTS FOR ~~ALARM~~ SECURITY SERVICES

(a) Every person, firm, association or corporation licensed to engage in the ~~alarm~~ security systems business in North Carolina who sells, installs, services, responds to or monitors electrical, electronic or mechanical alarm systems shall execute with the consumer a written contract in all transactions that consists of the following:

- (1) A description of the sales and services in brief, simple terminology; and
- (2) The company's name, address and telephone number, the North Carolina ~~Alarm~~ Security Systems License Number, and the North Carolina ~~Alarm~~ Security Systems Licensing Board's address and telephone number.

(b) Any person, firm, association or corporation licensed to engage in the ~~alarm~~ security systems business in North Carolina by providing sales, installation, service, response, or monitoring to a consumer and who unilaterally terminates, causes to be terminated, or reasonably knows of the termination of the monitoring, response or service to that consumer shall provide notification to that consumer by verified personal service or certified mail at least 10 days prior to cessation of the services. This provision shall not apply to consumer-initiated action to terminate or upon consumer relocation.

(c) Any person, firm, association or corporation licensed to engage in the ~~alarm~~ security systems business in North Carolina by providing sales, installation, service, response, or monitoring to a consumer and who changes or causes to be changed the monitoring, response or service to that consumer shall provide written notification to that consumer of the change, the effective date, and the name, address and telephone number of the new provider.

Authority G.S. 74D-2(a); 74D-5; Eff. July 1, 1995.

SECTION .0200 – PROVISIONS FOR LICENSEES

14B NCAC 17 .0201 APPLICATION FOR LICENSE

(a) Each applicant for a license shall submit an online application on the website provided by the Board. When this online application is submitted, it shall be accompanied by:

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigation or one set of classifiable fingerprints on an F.B.I. fingerprint card provided by the Board and mailed separately to the Board's office;
- (2) one head and shoulders digital photograph of the applicant in JPG format of sufficient quality

for identification, taken within six months prior to the online submission;

- (3) statements of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74D-2.1(a) for any state where the applicant has resided within the preceding 60 ~~months~~; months and disclosure of any expunged convictions;
- (4) a minimum of three letters attesting to the good character and reputation of the applicant using the online character letter submission process; and
- (5) the applicant's application fee, along with the convenience fee charged by the Board's on-line application vendor and the credit card transaction fee charged by the applicant's credit card provider and collected online.

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

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

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

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

Authority G.S. 74D-2; 74D-2.1; 74D-3; 74D-5; 74D-7; 74D-8; 15A-151(a)(10); 93B-8.1(d).

14B NCAC 17 .0202 EXPERIENCE OR TRAINING REQUIREMENTS FOR LICENSE

(a) Applicants for an ~~alarm~~ a security systems ~~system~~ business license shall meet the following requirements, which are in addition to those specified in G.S. 74D:

- (1) establish two year's experience within the past five years in alarm or security systems installation or service, or alarm or security systems business management; or
- (2) no longer than one year prior to the application date, successfully complete the Certified Alarm Technician Level I Course offered by the Electronic Security Association (ESA) or equivalent. Equivalency shall be determined by the Board's Training and Education Committee by comparing each segment of the training to ensure that the alternative course encompasses all segments of the ESA course.

(b) Applicants for a remote monitoring license pursuant to G.S. 74D-2(h) shall meet the following requirements:

- (1) hold a security guard and patrol business license issued pursuant to G.S. 74C-2; and
- (2) the Qualifying Agent for the license shall have completed a central station monitoring operator course offered by The Monitoring Association (TMA) or equivalent. Equivalency shall be determined by the Board's Training and Education Committee by comparing each segment of the training to ensure that the alternative course encompasses all segments of the TMA course.

Authority G.S. 74D-5.

14B NCAC 17 .0209 COMPANY BUSINESS LICENSE

(a) Any firm, association, or corporation required to be licensed pursuant to G.S. 74D-2(a) shall upload an application for a company business license on a form on the website provided by the Board. A sole proprietorship that is owned and operated by an individual holding a current ~~alarm~~ security systems business license shall be exempt from this Rule. This application form shall include such information as the firm, association, or corporation name; the address of its principal office within the State; all past convictions for criminal offenses of any company director or officer; information concerning the past revocation, suspension, or denial of a business or professional license to any director or officer; a list of all directors and officers of the firm, association, or corporation; a list of all persons, firms, associations, corporations, or other entities owning 10 percent or more of the outstanding shares of any class of stock; and the name and address of the qualifying agent.

(b) In addition to the items required in Paragraph (a) of this Rule, an out-of-state company shall file with its license application form a copy of its certificate of authority to transact business in this state issued by the North Carolina Secretary of State, in accordance with G.S. 55-15-01, and a consent to service of process and pleadings that is authenticated by its company seal and accompanied by a duly-certified copy of the resolution of the board of directors authorizing the proper officer or officers to execute this consent.

(c) After filing a completed online application with the Board, the Board shall conduct a background investigation to ascertain if the qualifying agent is in a management position. The Board shall also determine if the directors or officers have the requisite good

moral character as defined in G.S. 74D-6(3). It shall be prima facie evidence of good moral character if a director or officer has not been convicted by any local, State, federal, or military court of any crime involving the use, carrying, or possession of a firearm; conviction of any crime involving the use, possession, sale, manufacture, distribution, or transportation of a controlled substance, drug, narcotic, or alcoholic beverage; conviction of a crime involving assault or an act of violence; conviction of a crime involving breaking or entering, burglary, larceny, or any offense involving moral turpitude; or does not have a history of addiction to alcohol or a narcotic drug. For the purposes of this Section, "conviction" means and includes the entry of a plea of guilty, no contest, prayer for judgment continued, adjudication withheld, or a verdict rendered in open court by a judge or jury.

(d) Upon completion of the background investigation, a company business license shall be issued if all requirements of this Rule are met. A company business license issued by the Board shall be displayed at the principal place of business within North Carolina.

(e) The company business license shall be issued only to a corporation and shall not be construed to extend to a licensing of its directors, officers, or employees.

(f) The issuance of the company business license is issued to the firm, association, or corporation in addition to the license issued to the qualifying agent. The qualifying agent for the firm, association, or corporation that has been issued the company business license shall be responsible for assuring compliance with G.S. 74D.

(g) Within 90 days of the death of a licensee, the existing qualifying agent or a newly designated replacement qualifying agent for the company may submit a written request to the Board, asking that the deceased licensee's license number remain on company advertisements. The Board shall permit the use of the deceased licensee's license number only if the current qualifying agent's license number is printed adjacent to and in the same size print as the deceased licensee's license number.

Authority G.S. 74D-2(a); 74D-5.

14B NCAC 17 .0210 ELECTRICAL CONTRACTING LICENSE REQUIREMENTS

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

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

(c) If a company provides only ~~alarm~~ security systems monitoring services and submits a written request to the Board certifying that they provide only monitoring services and do not sell, install, service, or respond to ~~burglar~~ security alarms, the Board shall

exempt the company from compliance with this rule. If the company later elects to sell, install, service, or respond to ~~burglar~~ security alarms, then the company shall be required to fulfill the requirements of this rule.

Authority G.S. 74D-2(a); 74D-5.

SECTION .0300 – PROVISIONS FOR REGISTRANTS

14B NCAC 17 .0301 APPLICATION FOR REGISTRATION

(a) Each licensee or qualifying agent shall submit an online application for the registration of his or her employee on the website provided by the Board. When this online application is submitted, it shall be accompanied by:

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigation or one set of classifiable fingerprints on a standard F.B.I. fingerprint card mailed separately to the Board's office;
- (2) one original signed S.B.I. release of information form uploaded online and the original mailed separately to the Board's office;
- (3) one head and shoulders digital photograph of the applicant of sufficient quality for identification, taken within six months prior to online submission, and uploaded with the application submission;
- (4) statements of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74D-2.1(a) for any state where the applicant has resided within the preceding ~~60 months~~; months and disclosure of any expunged convictions;
- (5) the registration fee required by Rule .0302 of this Section, along with the convenience fee charged by the Board's on-line application vendor and the credit card transaction fee charged by the applicant's credit card provider and collected online; and
- (6) a completed affidavit form attesting to the truth of the information provided and public notice statement form.

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

(c) The employer of each applicant for registration shall print and retain a copy of the applicant's online application in the individual applicant's personnel file in the employer's office.

Authority G.S. 74D-2.1; 74D-5; 74D-8; 15A-151(a)(10); 93B-8.1(a).

14B NCAC 17 .0305 REGISTRATION IDENTIFICATION CARDS

(a) The registration identification card shall be carried by the registrant when performing the duties of ~~an alarm~~ a security systems employee.

(b) The registration identification card shall be exhibited upon the request of any law enforcement officer or any other authorized representative of the Board.

(c) Registration identification card holders shall immediately notify the Board upon receipt of information relating to the holder's ineligibility to continue holding such a card.

(d) Upon revocation or suspension by the Board, a holder shall return the registration identification card to the ~~administrator~~ Director within 10 days of the date of the revocation or suspension.

Authority G.S. 74D-8.

TITLE 15A – DEPARTMENT OF ENVIRONMENTAL QUALITY

***Notice** is hereby given in accordance with G.S. 150B-21.2 that the Environmental Management Commission intends to amend the rules cited as 15A NCAC 02B .0206; and 02H .0107. This is a republication of text as published in Volume 40 Issue 06.*

Link to agency website pursuant to G.S. 150B-19.1(c):
<https://www.deq.nc.gov/about/divisions/water-resources/water-resources-commissions/environmental-management-commission/emc-proposed-rules>

Proposed Effective Date: March 1, 2026

Public Hearing:

Date: November 5, 2025

Time: 3:30 p.m., Speaker registration and sign-in will begin at 3:00 p.m.

Location: Archdale Building, Ground Floor Hearing Room - 512 North Salisbury Street, Raleigh, NC 27604

Reason for Proposed Action: *The Environmental Management Commission (EMC) and Department of Environmental Quality (DEQ), Division of Water Resources (DWR), have the responsibility to implement and enforce provisions of the federal Clean Water Act and have delegated permitting authority to implement the National Pollutant Discharge Elimination System (NPDES) Program. The rule amendments are outlined in Session Law 2024-44 (s. 5.1) to allow domestic wastewater discharges to zero flow streams, which will align North Carolina with neighboring states. By providing an additional permitting option, this may provide additional opportunities for growth in these areas where the cost of piping to a higher flowing stream farther away was prohibitive. The Session Law also requires the EMC to adopt rules incorporating the amendments.*

EMC is extending the comment period for the proposed amendments to 15A NCAC 02B .0206 and 15A NCAC 02H .0107 until December 15, 2025. The comment period is extended due to