

TITLE 14B – DEPARTMENT OF PUBLIC SAFETY

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 .0201, .0203, .0301, .0302 and .0306.

Link to agency website pursuant to G.S. 150B-19.1(c): <https://www.ncdps.gov/dps-services/permits-licenses/alarm-system-licensing-board>

Proposed Effective Date: August 1, 2024

Public Hearing:

Date: April 30, 2024

Time: 2:00 p.m.

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

Reason for Proposed Action: *The Board's on-line application vendor is increasing its transaction fee effective September 1, 2024. To avoid having to amend five rules again in the future for further increases, and since this fee is set by the vendor and not retained by the Board, the rules are being amended accordingly.*

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

Comment period ends: June 14, 2024

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit a written objection to the Rules Review Commission. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive letters via U.S. Mail, private courier service, or hand delivery to 1711 New Hope Church Road, Raleigh, North Carolina, or via email to oah.rules@oah.nc.gov. 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 .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;
- (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 a ~~four dollar (\$4.00)~~ the convenience fee charged by the ~~third party~~ 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. 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.

*History Note: Authority G.S. 74D-2; 74D-2.1; 74D-3; 74D-5; 74D-7; 74D-8;
Temporary Rule Eff. January 9, 1984, for a period of 120 days to expire on May 7, 1984;
Eff. May 1, 1984;
Amended Eff. December 1, 2012; February 1, 2012; January 1, 2007; September 1, 2006; March 1, 1993; July 1, 1987; January 1, 1986;
Transferred and Recodified from 12 NCAC 11 .0201 Eff. July 1, 2015;
Amended Eff. December 1, 2017;
Readopted Eff. June 1, 2018;
Amended Eff. September 1, 2019;
Emergency Amendment Eff. June 9, 2020;
Amended Eff. August 1, 2020;
Temporary Amendment Eff. August 28, 2020;
Temporary Amendment Expired Eff. June 12, 2021;
Amended Eff. _____; November 1, 2021.*

14B NCAC 17 .0203 FEES FOR LICENSE

(a) Application license fees are as follows plus ~~a four dollar (\$4.00) the~~ convenience fee charged by the ~~third party~~ Board's on-line application vendor and credit card transaction fee charged by the applicant's credit card provider and collected online:

- (1) one hundred fifty dollars (\$150.00) non-refundable initial application fee.
- (2) five hundred dollar (\$500.00) biennial fee for a new or renewal license.
- (3) one hundred fifty dollars (\$150.00) branch office license fee.
- (4) one hundred dollars (\$100.00) late renewal fee to be paid in addition to the renewal fee if the license has not been renewed on or before the expiration date.

(b) Fees shall be paid by credit card, or electronic funds transfer.

*History Note: Authority G.S. 74D-7;
Temporary Rule Eff. January 9, 1984, for a period of 120 days to expire on May 7, 1984;
Eff. May 1, 1984;
Amended Eff. January 1, 1986;
Temporary Amendment Eff. October 6, 1992 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Amended Eff. February 1, 2010; March 1, 1993;
Transferred and Recodified from 12 NCAC 11 .0203 Eff. July 1, 2015;
Amended Eff. January 1, 2018;
Readopted Eff. June 1, 2018;
Amended Eff. _____; September 1, 2019.*

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;
- (5) the registration fee required by Rule .0302 of this Section, along with ~~a four dollar (\$4.00) the~~ convenience fee charged by the ~~third party provider~~ 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 a ~~four dollar (\$4.00)~~ the convenience fee charged by the ~~third party provider~~ 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.

History Note: Authority G.S. 74D-2.1; 74D-5; 74D-8;
Temporary Rule Eff. January 9, 1984 for a Period of 120 Days to Expire on May 7, 1984;
Eff. May 1, 1984;
Amended Eff. December 1, 2012; January 1, 2007; July 1, 1993; March 1, 1993; September 1, 1990; November 1, 1988;
Transferred and Recodified from 12 NCAC 11 .0301 Eff. July 1, 2015;
Amended Eff. December 1, 2017;
Readopted Eff. June 1, 2018;
Amended Eff. _____; August 1, 2022; August 1, 2020; September 1, 2019.

14B NCAC 17 .0302 FEES FOR REGISTRATION

(a) Registration fees are as follows, plus a ~~four dollar (\$4.00)~~ the convenience fee charged by the ~~third party~~ Board's on-line application vendor and credit card transaction fee charged by the applicant's credit card provider and collected online.

- (1) Fifty dollar (\$50.00) non-refundable biennial registration fee.
- (2) Ten dollar (\$10.00) non-refundable fee for registration of an employee who changes employment to another licensee.
- (3) Ten dollar (\$10.00) non-refundable annual multiple registration fee.
- (4) Twenty dollar (\$20.00) late renewal fee to be paid for an application submitted no more than 30 days from the date the registration expires and to be paid in addition to the renewal fee.

(b) Fees shall be paid by credit card, or electronic funds transfer.

History Note: Authority G.S. 74D-7;
Temporary Rule Eff. January 9, 1984, for a period of 120 days to expire on May 7, 1984;
Eff. May 1, 1984;
Amended Eff. January 1, 1986;
Temporary Amendment Eff. October 6, 1992 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Amended Eff. May 1, 2010; February 1, 2010; April 1, 2005; March 1, 1993;
Transferred and Recodified from 12 NCAC 11 .0302 Eff. July 1, 2015;
Amended Eff. January 1, 2018;
Readopted Eff. June 1, 2018;
Amended Eff. _____; September 1, 2019.

14B NCAC 17 .0306 RENEWAL OR REREGISTRATION OF REGISTRATION

(a) Each applicant for renewal of a registration identification card or his or her employer shall complete an online form on the website provided by the Board. This online form shall be submitted not less than 90 days prior to expiration of the applicant's current card and shall be accompanied by:

- (1) one digital head and shoulders color photograph of the applicant of acceptable quality for identification and made within 90 days of the application uploaded online with application submission;
- (2) statements of the result 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 24 months; and
- (3) the applicant's renewal fee, along with the ~~four dollar (\$4.00)~~ convenience fee charged by the ~~third party~~ Board's on-line application vendor and credit card transaction fee charged by the applicant's credit card provider and collected online.

(b) Each licensee shall provide each applicant for registration or re-registration a copy of the online submitted application form provided by the Board. This form shall be submitted to the Board online and accompanied by:

- (1) one digital head and shoulders color photograph of the applicant of acceptable quality for identification and made within 90 days of the application uploaded online with the application submission; and
- (2) the applicant's registration fee, along with the ~~four dollar (\$4.00)~~ convenience fee charged by the ~~third party~~ Board's on-line application vendor and credit card transaction fee charged by the applicant's credit card provider and collected online.

(c) The employer of each applicant for a registration renewal or reregistration shall give the applicant a copy of the online application which will serve as a record of application for renewal and shall retain a copy of the applicant's online renewal application in the individual's personnel file in the employer's office.

(d) Members of the armed forces whose registrations are in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return are granted that same extension of time to pay the registration renewal fee and to complete the continuing education requirements prescribed by Section .0500 of this Chapter. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue must be furnished to the Board.

*History Note: Authority G.S. 74D-7; 74D-8; 93B-15;
Temporary Rule Eff. January 9, 1984, for a Period of 120 Days to Expire on May 7, 1984;
Eff. May 1, 1984;
Amended Eff. February 1, 2012; July 1, 2010; March 1, 1993; December 1, 1988; July 1, 1987;
Transferred and Recodified from 12 NCAC 11 .0306 Eff. July 1, 2015;
Readopted Eff. June 1, 2018;
Amended Eff. _____; September 1, 2019.*