



NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

- ☒ Notice with a scheduled hearing
☐ Notice without a scheduled hearing
☐ Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.
Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency:

North Carolina Code Officials Qualification Board

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

<https://www.ncosfm.gov/about/rules-and-legislative-reports/rules#CodeOfficialsQualificationBoard-4075>

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

☐ ADOPTION:

☒ AMENDMENT:

11 NCAC 08 .0706; 11 NCAC 08 .0737; 11 NCAC 08 .0738; 11 NCAC 08 .0739; 11 NCAC 08 .0740; 11 NCAC 08 .0741

☐ REPEAL:

☐ READOPTION with substantive changes:

☐ READOPTION without substantive changes:

☐ REPEAL through READOPTION:

4. Proposed effective date: January 1, 2026

5. Is a public hearing planned? ☒ Yes ☐ No

If yes: **Public Hearing date:** October 13, 2025

Public Hearing time: 10:00am

Public Hearing location: Office of the State Fire Marshal
1429 Rock Quarry Road
Raleigh, NC 27610

6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

7. Explain Reason For Proposed Rule(s):

The Code Officials Qualification Board (COQB) recently adopted amendments to 11 NCAC 08 .0706 and adopted 11 NCAC 08 .0737 through .0741 as new rules to implement a "dual track" certification system for code officials beginning January 1, 2025. This system provides a "grandfathering" period under which a Level I or Level II code official certified before January 1, 2025 is authorized to inspect different types of structures and systems than a Level I or II code official certified on or after that date. After the adoption of these rules, the Office of the State Fire Marshal (OSFM) – which provides staff support to the COQB – learned that its current certification database cannot accommodate this dual track certification structure. Specifically, the system cannot assign different scopes of inspection authority to inspectors with the same level designation based on their certification date. As a result, OSFM has been forced to manually track the certification scopes of newly certified inspectors. To address this matter, the COQB seeks to amend Rules 11 NCAC 08 .0706, .0737, .0738, .0739, .0740, and .0741 delay the implementation of the dual track certification structure to January 1, 2027 to provide time for OSFM to design or procure a new certification database.

8. 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 written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections 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 those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

☐ Rule(s) is automatically subject to legislative review. Cite statutory reference:

9. The person to whom written comments may be submitted on the proposed rule(s):

Name: Kyle Heuser

Address:

1429 Rock Quarry Road
Raleigh, NC 27610

Phone (optional): 919.647.0100

Fax (optional):

E-Mail (optional): OSFM.rulemaking@ncdoi.gov

10. Comment Period Ends: November 16, 2025

11. 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 (≥\$1,000,000)
☐ Approved by OSBM
☒ No fiscal note required

12. Rule-making Coordinator:

Kyle Heuser

Phone: 919.647.0100

E-Mail:

OSFM.Rulemaking@ncdoi.gov

Additional agency contact, if any:

Joseph Starling

Phone: 919.397.6159

E-mail:

joseph.starling@ncdoi.gov

13. The Agency formally proposed the text of this rule(s) on

Date: August 19, 2025

14. Signature of Agency Head* or Rule-making Coordinator:


Typed Name: Kyle Heuser

Title: Rulemaking Coordinator

**If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.*