



# North Carolina Department of Public Safety

## Private Protective Services Board

Roy Cooper, Governor  
Erik Hooks, Secretary

Pamela Cashwell, Chief Deputy Secretary  
Paul Sherwin, Director

### MEMORANDUM FOR RECORD

January 25, 2021

To: Joint Legislative Administrative Procedure Oversight Committee  
Joint Legislative Commission on Governmental Operations  
Office of State Budget and Management

From: Private Protective Services Board  
Director Paul Sherwin, on behalf of Chair Vincent “Bud” Cesena

Subject: Report on efforts to exercise regulatory flexibility, as required by House Bill 1105, Section 3.20.(c)

On April 23, 2020, the Private Protective Services Board authorized the adoption of five emergency rule changes in response to the state of emergency created by COVID-19. These emergency rule changes were subsequently approved by the Rules Review Commission on May 6, 2020, were adopted as temporary rules, and remain in effect.

- Rule 14B NCAC 16 .0201(e) was amended to allow the required face-to-face meeting between a license applicant and a Private Protective Services investigator to be “conducted by alternate means,” during a National- or State-declared state of emergency that restricts or prohibits travel.
- Rule 14B NCAC 16 .0806(e) was created to extend the armed security guard requalification deadline to 60 days beyond the end of the declared state of emergency. This means that if an armed security guard’s registration expires during a declared state of emergency, the registration may be conditionally renewed without a firearm requalification. The firearm requalification must be submitted to Private Protective Services within 60 days after the end of the declared state of emergency. This rule change affects renewals only. New applicants must submit evidence of a firearms qualification at the time of application.

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- Rule 14B NCAC 16 .0904 was created to extend the firearms instructor requalification deadline to 60 days beyond the end of the declared state of emergency. This means that if a PPSB-approved trainer's certification expires during a declared state of emergency, the certification may be conditionally renewed without a firearm requalification. The firearm requalification must be submitted to Private Protective Services within 60 days after the end of the declared state of emergency. This rule change affects renewals only. New trainer certification applicants must submit evidence of a firearms qualification at the time of application.
- Rules 14B NCAC 16 .1202(b) and (e) were created to allow licensees to complete all 12 hours of continuing education online during a declared state of emergency; however, the same course may not be completed more than once during the renewal period.
- Rule 14B NCAC 16 .1203 was amended to strike the 6-hour cap for online continuing education credit in response to the creation of Rules 14B NCAC 16 .1202(b) and (e).

A handwritten signature in black ink, appearing to read 'P. M. Sherwin', with a stylized flourish at the end.

Paul M. Sherwin  
Director