

April 2, 2012

VIA EMAIL

The Honorable Phil Berger
President Pro Tempore of the Senate
16 West Jones Street, Room 2008
Raleigh, NC 27601-2808

The Honorable Thom Tillis
Speaker of the House of Representatives
16 West Jones Street, Room 2304
Raleigh, NC 27601-1096

Re: Request for Consultation with the Joint Legislative Commission on Governmental Operations ("Commission") Regarding Fee Changes Proposed by the North Carolina Private Protective Services Board

Dear Senator Berger and Speaker Tillis:

As counsel for the North Carolina Private Protective Services Board ("Board"), I am writing on behalf of the Board to make a request for consultation, pursuant to G.S. §12-3.1, regarding new Board rules 12 NCAC 7D .1402 and .1502. A copy of the new rules is attached.

The Board is charged with carrying out and administering Chapter 74C, Article 1, of the North Carolina General Statutes, cited as the Private Protective Services Act ("Act"). The purpose of the Act is to increase the level of integrity, competency, and performance of Private Protective Service Professions in order to safeguard the public health, safety, and welfare. The Private Protective Services Profession includes the armored car profession. G.S. §74C-3(a)(1). Under the Act, the Board has the authority to regulate both unarmed and armed armored car service guards. Pursuant to its authority, the Board proposes to adopt rules requiring the registration of unarmed and armed armored car service guards and to charge specific fees for such registration. It is necessary to charge these fees in order to allow the Board to continue its mandate to protect the public by regulating the Private Protective Service Professions in North Carolina.

12 NCAC 7D .1402

This rule sets out fees for registration for unarmed armored car service guard registration to include a thirty dollar (\$30.00) non-refundable initial registration fee, a thirty dollar (\$30.00) annual renewal or reissue fee, a fifteen (\$15.00) transfer fee, and a twenty-five dollar (\$25.00) late renewal fee to be paid within 90 days from the date the registration expires and to be paid in addition to the renewal fee. The statutory authority for this rule G.S. §74C-9. These fees are to

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cover the Board's increased costs in regulating unarmed armored car service guards and to comply with its mandate to protect the public.

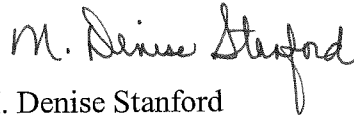
12 NCAC 7D .1502

This rule sets out fees for registration for armed armored car service guard registration to include a thirty dollar (\$30.00) non-refundable initial registration fee, a thirty dollar (\$30.00) annual renewal or reissue fee, and a fifteen dollar (\$15.00) application fee. The statutory authority for this rule is G.S. §74C-9. These fees are to cover the Board's increased costs in regulating armed armored car service guards and to comply with its mandate to protect the public.

This letter is a request for consultation in order to satisfy the consultation requirements of G.S. §12-3.1. We ask that these rules be placed on the upcoming agenda. Please notify me once this item has been placed on the agenda.

Sincerely,

BAILEY & DIXON, L.L.P.



M. Denise Stanford

Attachment

cc: Anthony Bonapart (via first class mail)

330881



12 NCAC .07D .1402 is proposed for adoption as follows:

12 NCAC 07D .1402 FEES FOR UNARMED ARMORED CAR SERVICE GUARD REGISTRATION

(a) Fees for unarmed armored car service guards are as follows:

- (1) thirty dollar (\$30.00) non-refundable initial registration fee;
- (2) thirty dollar (\$30.00) annual renewal, or reissue fee;
- (3) fifteen dollar (\$15.00) transfer fee; and
- (4) twenty-five dollars (\$25.00) late renewal fee to be paid within 90 days from the date the registration expires and to be paid in addition to the renewal fee.

(b) Fees shall be paid in the form of a check or money order made payable to the Private Protective Services Board.

History Note: Authority G.S. 74C-3; 74C-5; 74C-9;
Eff.

12 NCAC 07D .1502 is proposed for adoption as follows:

**12 NCAC 07D .1502 FEES FOR ARMED ARMORED CAR SERVICE GUARD FIREARM
REGISTRATION PERMIT**

(a) Fees for armed armored car service guard firearm registration permits are as follows:

- (1) thirty dollars (\$30.00) non-refundable initial registration fee;
- (2) thirty dollars (\$30.00) annual renewal, or reissue fee; and
- (3) fifteen dollar (\$15.00) application fee.

(b) Fees shall be paid in the form of a check or money order made payable to the Private Protective Services Board.

History Note: Authority G.S. 74C-3; 74C-5; 74C-9; 74C-13;
Eff.