

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

SESSION LAW 2017-167
HOUSE BILL 666

AN ACT TO PROVIDE FOR A WAIVER OF MINIMUM PERSONNEL REQUIREMENTS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Definitions. – "Primary Personnel Rule" means 11 NCAC 05A .0504 (Primary Personnel) for purposes of this act and its implementation.

SECTION 1.(b) Primary Personnel Rule. – Until the effective date of the revised permanent rule that the Department of Insurance is required to adopt pursuant to subsection (d) of this section, the Department shall implement the Primary Personnel Rule, as provided in subsection (c) of this section.

SECTION 1.(c) Implementation. – The Department shall provide that for the purpose of satisfying certification inspection requirements, a fire department may apply to the Department for a waiver from the requirement that the department maintain 20 primary personnel in order to satisfy certification inspection requirements upon a showing satisfactory to the Department's Office of State Fire Marshall that the waiver is justified by the volume of calls received by the fire department and would not cause a significant deterioration in the response capability of the fire department. A waiver granted by the Department under this subsection shall not reduce the primary personnel requirement below 15.

SECTION 1.(d) Additional Rule-Making Authority. – The Commission shall adopt a rule to amend the Primary Personnel Rule consistent with subsection (c) of this section and may adopt temporary rules. Notwithstanding G.S. 150B-19(4), the rule adopted by the Commission, pursuant to this section, shall be substantively identical to the provisions of subsection (c) of this section. Rules adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General Statutes.

SECTION 1.(e) Sunset. – This section expires when permanent rules adopted as required by subsection (d) of this section become effective.



SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 27th day of June,
2017.

s/ Daniel J. Forest
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 11:43 a.m. this 21st day of July, 2017