

02 NCAC 34 .0302 APPLICATION FOR LICENSES AND CARDS: EXAMINATION

(a) Application for licenses under the provisions of G.S. 106-65.26(a) and (c):

- (1) Application for examination shall be on a application form prescribed by the Structural Pest Control and Pesticides Division, the requirements of the application which are set forth in G.S. 106-65.26. The Committee shall approve applications if a complete application was submitted to the Division and all criteria under G.S. 106-65.26 has been met. The application form shall include all information set forth by this Rule, as well as in G.S. 106-65.26, and:
 - (A) the applicant's full name;
 - (B) the applicant's home address;
 - (C) the applicant's contact information, either a telephone number or a valid email address;
 - (D) the applicant's identifying information, including social security number, hair color, eye color, height, and weight; and
 - (E) the applicant's current and previous employer.
- (2) After submission, the application shall be reviewed for completeness by the Division. Applications shall be approved or denied on the basis of criteria set forth by G.S. 106-65.26. Upon approval of the application for examination, the Structural Pest Control Committee secretary shall notify the applicant of said approval and allow the applicant to pre-register for the examination as required in Paragraph (c) of this Rule.
- (3) Applications to take the examination shall be either typed or printed in ink and sworn to before a notary public or some other official authorized by law to administer oaths.
- (4) A high-resolution, full-face, head, and shoulder photograph of the applicant, taken within the preceding 12 months of the date of application, and not less than two and one-half inches square, shall be attached to the application.
- (5) All applications to take the examination shall be retained by the office of the Committee secretary. Documents filed may include affidavits from homeowners or employers, evidence of a criminal background check, or educational transcripts and supporting documents. All examinations shall remain the property of the Committee.
- (6) An applicant who fails to pass the license examination within 12 months of the approval of his or her application shall be required to provide current information concerning his or her qualifications to take the examination to ensure that the applicant is still qualified to take the examination.
- (7) An applicant who gives or receives unauthorized assistance in answering test questions from anyone who is not employed by the Division during an examination shall be dismissed from the examination and his or her markings or results shall be voided and said applicant's examination fee shall be forfeited. Unauthorized assistance means any outside assistance that has not been previously approved by the Division. Any applicant using unauthorized assistance shall not be permitted to take a reexamination for a period of six months from the date of the examination. Authorized assistance approved by the Division shall include translation services, interpretation services, or other needs required to adhere to The Americans with Disabilities Act (ADA).
- (8) No person shall be admitted to the examination room except members of the Committee, the attorney for the Committee, the examining personnel, employees of the Structural Pest Control Division, and the applicants for licensure.
- (9) Any applicant making a score of 70 percent or more on any license examination(s) shall be issued a license in that phase(s) of structural pest control after submitting a completed application with all required fees and insurance documents therefor.
- (10) The applicant shall furnish the information required by G.S. 106-65.26 and this Rule to establish that said applicant possesses qualifications as specified in G.S. 106-65.26 of the Act for the particular license(s) which he or she seeks. The Committee or the Division may, based upon their review of the contents of an application, make investigations to review an applicant's qualifications.
- (11) All applicants passing the examination(s) for licenses shall apply for said licenses within six months from the date on which the examinations were taken. If such applicants fail to make application for said licenses, within the specified period, such applicants shall be required to take and pass reexaminations covering phases of structural pest control work for which licenses were applied before said licenses are issued.

- (12) If an applicant for a license fails an examination, he or she may review the examination at the next scheduled review session.
- (b) Application for certified applicator's identification card under the provisions of G.S. 106-65.26(a) and (b):
 - (1) Applications filed pursuant to G.S. 106-65.26(a) and (b) shall be on a form as set forth by G.S. 106-65.26.
 - (2) An applicant for a certified applicator's identification card in any phase of structural pest control shall furnish information as specified in G.S. 106-65.26 of the Act to establish that said applicant possesses qualifications for the particular certified applicator's identification card which he or she seeks. The Committee or the Division may, based upon their review of the contents of an application, make investigations with respect to the applicant's qualifications, to determine if they meet the criteria specified in G.S. 106-65.26.
 - (3) All applications for certified applicator's identification cards under the provisions of G.S. 106-65.26(a) and (b) shall be retained by the office of the Committee secretary. All documents filed in support of an application shall be kept by the office of the Committee secretary. All examinations shall remain the property of the Committee.
 - (4) The North Carolina Structural Pest Control Committee, hereby incorporates by reference for all Certified Applicators, Part 171.103(a) through (e) "Standards for certification of commercial applicators" of Title 40: Protection of Environment of the Code of Federal Regulations, titled "Certification of Pesticide Applicators Subpart B—Certification Requirements for Applicators of Restricted Use Pesticides" including subsequent amendments. Copies of this material may be obtained at no cost from the U.S. Government Printing Office website, <http://www.gpo.gov/>.
 - (A) Industrial, Institutional and Structural is the only federal category regulated under the NC Structural Pest Control Law, G.S. 106-65.25(a), and that category is divided into three subcategory phases. The three subcategory phases and their subsequent competency standards are detailed in this section.
 - (B) Household Pest Control: Applicators must demonstrate practical knowledge of household pests, pest problems, and pests that are important vectors of disease, including recognizing the pests and signs of their presence, their habitats, their life cycles, biology, and behavior as it may be relevant to problem identification and control. The required knowledge also includes how to minimize damage to, and contamination of areas treated, acute and chronic exposure of people and pets, and non-target exposures.
 - (C) Wood-Destroying Organisms: Applicators must demonstrate a practical knowledge of wood-destroying organisms which may devour or destroy wood, wood products, and other cellulose material in, on, under, and in contact with and around structures, including recognizing these pests and signs of their presence, their life cycles, biology, and behavior as it may be relevant to problem identification, treatment and control. The required knowledge also includes how to minimize damage to, and contamination of areas treated, acute and chronic exposure of people and pets, and non-target exposures.
 - (D) Fumigation (non-soil): Applicators must demonstrate practical knowledge of the pest problems and pest control practices associated with performing fumigation applications of restricted use pesticides to sites other than soil, such as enclosed spaces or structures, including recognizing these pests and signs of their presence, their life cycles, biology, and behavior as it may be relevant to problem identification, treatment, and control. The required knowledge also includes how to minimize damage to, and contamination of areas treated, acute and chronic exposure of people and pets, and non-target exposures.
 - (5) Any applicant making a score of 70 percent or more on the core certification examination and on any certified applicator's examination(s) shall be issued a certified applicator's identification card in that phase of structural pest control after submitting a completed division's certified applicator card application with required fees therefor.
 - (6) All applicants passing the examination(s) for certified applicator's identification cards shall apply for said cards within six months from the date on which the examinations were taken. If such applicants fail to make application for said certified applicator's identification cards within the specified period, such applicants shall be required to take and satisfactorily pass reexaminations covering phases of structural pest control work for which certified applicator's identification cards were applied before said cards are issued.

- (7) If an applicant fails to obtain a certified applicator's identification card within 12 months of passing the core examination, the applicant shall take and pass a reexamination before being eligible for the card.
 - (8) Upon receipt of the application for examination, the Committee secretary shall provide the necessary exam pre-registration forms for the applicant to pre-register for the examination as required in Paragraph (c) of this Rule.
 - (9) If an applicant for a certified applicator's card fails an examination, he or she may review the examination at the next scheduled review session.
 - (10) Subparagraphs (a)(2), (5), (7), and (8) of this Rule shall also apply to all applicants for certified applicator's identification cards.
 - (11) Completion of the registered technician school shall be a prerequisite for the certification examination.
- (c) Pre-registration for license and certified applicator examination applicants:
- (1) All applicants for the license or certified applicator's examination(s) shall pre-register with the Committee secretary for said examination(s) no less than 10 days prior to the date of the examination.
 - (2) Applicants who fail to pre-register shall not be permitted to take the examination.
 - (3) Pre-registration shall include a completed application for examination.
- (d) Frequency of examination by license applicant limited:
- (1) An applicant who fails to pass the license examination on his or her first attempt may retake the examination at any subsequent scheduled examination.
 - (2) An applicant who fails to pass the second license examination shall wait a minimum of one examination between each subsequent examination: except that, in the event of a death of a licensee the applicant intending to succeed the deceased licensee may take the examination a third time prior to the first one examination waiting period.
 - (3) No applicant shall be permitted to take the examination more than six times per year nor more than two times in consecutive months, except as provided for in Subparagraph (d)(2) of this Rule.

*History Note: Authority G.S. 106-65.29;
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