

12 NCAC 10B .0406 LATERAL TRANSFER/REINSTATEMENTS

- (a) The General or Grandfather Certification of an officer meeting the requirements of 12 NCAC 10B .0103(16) may laterally transfer to an agency and be certified upon compliance with this Rule, without having to repeat the requirements set out in 12 NCAC 10B .0303.
- (b) The employing agency shall verify the applicant's certification status with the Division prior to submission of the application for certification as a justice officer.
- (c) In order for an officer to be certified pursuant to Paragraph (a) of this Rule, the employing agency shall submit to the Division, along with the Report of Appointment (F-4 or F-4T), the documents required in 12 NCAC 10B .0408.
- (d) An officer whose certification has been suspended pursuant to 12 NCAC 10B .0204(b)(1) may have that certification reinstated provided that:
- (1) the period of suspension has been six months or less; and
 - (2) the employing agency submits to the Division, along with a Report of Appointment, the documents required in 12 NCAC 10B .0305.
 - (3) the officer has successfully completed the basic training requirements as prescribed in 12 NCAC 10B .0500 or .0600 or .1300.
- (e) An officer for whom a Report of Separation (Form F-5) has been submitted to the Division, and who is re-appointed in the same agency, may be reinstated provided that:
- (1) the period of separation has been six-months or less; and
 - (2) the employing agency submits to the Division, along with a Report of Appointment, the documents required in 12 NCAC 10B .0305.
- (f) Requirements of Paragraph (c) of this Rule are waived for officers whose certifications are reinstated pursuant to Paragraphs (d) and (e) of this Rule.
- (g) All information maintained pursuant to the requirements of this Rule shall be subject to all state and federal laws governing confidentiality.

*History Note: Authority G.S. 17E-4; 17E-7;
Eff. January 1, 1989;
Amended Eff. January 1, 1994; January 1, 1993; January 1, 1992; July 1, 1990;
Temporary Amendment Eff. March 1, 1998;
Amended Eff. January 1, 2009; January 1, 2005; August 1, 2002; August 1, 1998;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018;
Amended Eff. December 1, 2023.*