

21 NCAC 21 .0407 EXEMPTIONS

A licensee is exempt from the annual continuing education requirements as long as any of the following exceptions apply:

- (1) New licensees by way of examination shall be required to show proof of 12 hours of continuing education when his or her geology license is renewed for the second time.
- (2) New licensees by way of comity shall show proof of 12 hours of continuing education the first time his or her North Carolina license is renewed.
- (3) If currently licensed by and in good standing (license is not surrendered, suspended, or revoked) with the Board, a licensee who is serving on active duty as a member of the armed forces of the United States and who is eligible for an extension of time to file a tax return pursuant to G.S. 105-249.2 may request a waiver of the mandatory continuing education requirements for the time period disregarded pursuant to the Internal Revenue Code, 26 U.S.C. 7508, as follows:
 - (a) The licensee shall notify the Board of eligibility before the current license expires. Upon such notification, the Board shall maintain the license in active status through the extension period.
 - (b) If the licensee fails to notify the Board of eligibility for the extension period before the current license expires, upon receipt and acceptance of a renewal application within the extension period and presentation of proof that the licensee was eligible on the date that is the deadline for renewal, the expired license or registration shall be deemed retroactively to have not expired.
 - (c) The licensee who submits a renewal application within the extension period shall not be deemed to hold a lapsed license subject to reinstatement fees.
 - (d) The licensee may renew the license within the extension period despite failing to complete the specified continuing education requirements.
 - (e) A licensee shall provide proof of eligibility for the extension period when the licensee or registrant submits the renewal application, which shall include:
 - (i) a copy of military orders denoting the respective active duty period; or
 - (ii) a copy of form DD-214 denoting each respective active duty period.
- (4) If currently licensed by and in good standing (license is not surrendered, suspended, or revoked) with the Board, a licensee who is serving in a reserve component of the armed forces of the United States and completes an aggregate of 90 days active duty in a given calendar year in accordance with 10 U.S.C. 12301(a); 10 U.S.C. 12302; 10 U.S.C. 12304; or 14 U.S.C. 712 may request a waiver of the mandatory continuing education requirements during the year in which the 90-day aggregate active duty occurred, as follows:
 - (a) The licensee shall notify the Board of eligibility before the current license expires. Upon such notification, the Board shall maintain the license in active status through the extension period.
 - (b) If the licensee fails to notify the Board of eligibility for the extension period before the current license expires, upon receipt and acceptance of a renewal application within the extension period and presentation of proof that the licensee was eligible on the date that is the deadline for renewal, the expired license or registration shall be deemed retroactively to have not expired.
 - (c) The licensee who submits a renewal application within the extension period shall not be deemed to hold a lapsed license subject to reinstatement fees.
 - (d) The licensee may renew the license within the extension period despite failing to complete the specified continuing education requirements.
 - (e) A licensee shall provide proof of eligibility for the extension period when the licensee or registrant submits the renewal application, which shall include:
 - (i) a copy of military orders denoting the respective active duty period; or
 - (ii) a copy of form DD-214 denoting the respective active duty period.
- (5) The Board may grant an exemption at a licensee's request if the Board determines that the licensee is experiencing physical disability, illness, or other extenuating circumstances that prevent the licensee from obtaining continuing education hours. Supporting documentation shall be furnished to the Board along with a written request.
- (6) Licensees who list their occupation as "Inactive" on the Board-approved renewal form and who are no longer providing geological services are not required to earn continuing education credits.

In the event such a person elects to return to active practice of geology, 12 hours of continuing education shall be earned in the year prior to the licensee's return to active practice.

*History Note: Authority G.S. 89E-4; 89E-5;
Eff. June 1, 2017.*