

**12 NCAC 09E .0107      FAILURE TO QUALIFY: ANNUAL IN-SERVICE FIREARMS TRAINING**

(a) Where an officer is employed with an agency that establishes a higher standard for annual in-service firearms training than those specified in this Subchapter and the officer has failed to meet the requirements of the employing agency as of December 31 of each calendar year, such officer shall meet the requirements of this Rule for continued certification. Prior to transfer to another agency, the officer shall meet the requirements of this Rule.

(b) Upon notification to the Division via Form F-9B 'Report of Non-Compliance of Mandatory In-Service Training' that an officer has failed to meet the requirements for in-service firearms training and qualification as specified in 12 NCAC 09E .0106(a) of this Subchapter, the law enforcement officer's certification shall be suspended. Form F-9B is located on the Commission's website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/#91-112-wpfd-in-service-p2>.

(c) The Division shall rescind the suspension indicated in Paragraph (b) of this Rule upon receipt from an agency representative of Form F-9C 'Return to Duty Request', indicating the suspended officer has completed the in-service firearms training and qualification pursuant to 12 NCAC 09E .0106(a) and (b). Form F-9C is located on the Commission's website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/#91-112-wpfd-in-service-p2>.

(d) The suspended officer shall be granted limited enrollment in a presentation of the "Basic Law Enforcement Training" course to complete the training pursuant to 12 NCAC 09B .0205(b)(5)(B). Such enrollment and successful completion must occur within the calendar year of the suspension of law enforcement officer certification.

(e) Failure to enroll and successfully complete the training pursuant to 12 NCAC 09B .0205(b)(5)(B) within the calendar year of the suspension of certification shall subject the officer to training evaluation as specified in 12 NCAC 09B .0403.

*History Note:      Authority G.S. 17C-6; 17C-10;*

*Eff. July 1, 1989;*

*Amended Eff: January 1, 2005; August 1, 2000; March 1, 1992; March 1, 1990;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;*

*Amended Eff. July 1, 2023.*