CHECK APPROPRIATE BOX:

☐ Proposed Temporary Rule [G.S. 150B-21.1(a3)]
☒ Proposed Temporary Rule simultaneously adopted as an emergency rule [G.S. 150B-21.1A(a)]

1. Rule-Making Agency: The State Licensing Board for General Contractors

2. Proposed Action -- Mark the appropriate box(es) and list rule citation(s) beside proposed action:

☒ ADOPTION: 21 NCAC 12A .0607

☐ AMENDMENT:

☐ REPEAL:

3. Public Hearing:

| Date: | May 1, 2020 |
| Time: | 9:00 am |
| Location: | Via GoTo Meeting: https://global.gotomeeting.com/join/379505677 or dial in: 1 (646) 749-3112, Access Code 379-505-677 |

4. Reason for agency adopting rule(s) under temporary action:

☒ A serious and unforeseen threat to the public health, safety or welfare.
☐ The effective date of a recent act of the General Assembly or of the U.S. Congress.
  Cite: Effective date:
☐ A recent change in federal or state budgetary policy.
  Effective date of change:
☐ A recent federal regulation.
  Cite: Effective date:
☐ A recent court order.
  Cite order:
☐ Other:

Explain: On March 10, 2020, the Governor of North Carolina, by issuing Executive Order No. 116, declared a state of emergency to coordinate a response and enact protective measures to help prevent the spread of COVID-19. The COVID-19 is a respiratory disease that can result in serious illness or death. The COVID-19, previously unidentified in humans, spreads easily from person to person. Once an outbreak of the COVID-19 begins, it is difficult to contain. The World Health Organization, the Center for Disease Control and Prevention, and the United States Department of Health and Human Services have declared COVID-19 a public health threat and emergency. On March 12, 2020, the Governor of North Carolina and the NC Department of Health and Human Services recommended high risk persons stay at home, that schools implement plans for distance or e-learning, that employers and employees use teleworking technologies, and that mass gatherings should cancel, postpone, and modify these events or offer online streaming services. On March 14, 2020, the Governor of North Carolina issued Executive Order No. 117 that prohibited mass gatherings, closed schools, and urged social distancing.
5. Comments from the public shall be directed to:
   Name: C. Frank Wiesner
   Address: North Carolina Licensing Board for General Contractors, 5400 Creedmoor Road, Raleigh, NC 27612
   Phone (optional): 919-571-4183
   Fax (optional): 919-571-4703
   E-Mail (optional): Frank.Wiesner@nclbgc.org


<table>
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<tr>
<th>7. Rule-making Coordinator:</th>
<th>8. Signature of Agency Head* or Rule-making Coordinator:</th>
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   Name: Anna Baird Choi       | [Signature]                                              |
   Phone: 919-341-2636        |                                                          |
   E-Mail: anna@nc1-law.com   |                                                          |
   Agency contact, if any:    |                                                          |
   Name: C. Frank Wiesner     |                                                          |
   Phone: 919-571-4183        |                                                          |
   E-mail: Frank.Wiesner@nclbgc.org |                                                    |

Typed Name: Lee E. Thomason III
Title: Chairman

*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
21 NCAC 12A .0607 is proposed for adoption under temporary procedures as follows:

**21 NCAC 12A .0607  WAIVER**

The Board may waive any rule in this Chapter that is not statutorily required if a licensee, qualifier, continuing education course provider, or continuing education course instructor submits a written request. The Board may also waive any rule in 21 NCAC 12 that is not statutorily required upon its own initiative. Factors the Board shall use in determining whether to grant the waiver are:

1. degree of disruption to the Board;
2. cost to the Board;
3. degree of benefit to the public;
4. whether the requesting party had control over the circumstances that required the requested waiver;
5. notice to and opposition by the public;
6. need for the waiver; and
7. previous requests for waivers submitted from the requesting party.

*History Note:* Authority G.S. 87-10.2(j); 150B-19