

21 NCAC 14B .0506 CIRCUMSTANCES

The Board may refuse to issue a declaratory ruling on the validity of a rule if:

- (1) When the Board has already made a controlling decision on substantially similar facts in a contested case;
- (2) When the facts underlying the request for a ruling were specifically considered at the time of the adoption of the rule in question; and
- (3) When the subject matter of the request is involved in pending litigation in North Carolina.

History Note: Authority G.S. 150B-17;
Eff. February 1, 1976;
Amended Eff. January 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 13, 2015.