

SUBCHAPTER 63B – PROCEDURAL RULES

SECTION .0100 – RULE-MAKING PROCEDURES

10A NCAC 63B .0101 PETITIONS

(a) Any person wishing to request the adoption, amendment, or repeal of a rule of the Commission for the Blind shall make his request in a petition addressed to:

Director
Division of Services for the Blind
309 Ashe Avenue
2601 Mail Service Center
Raleigh, North Carolina 27699-2601

(b) The petition shall contain the following information:

- (1) a draft of the proposed rule or a summary of its contents;
- (2) the statutory authority for the agency to promulgate the rule;
- (3) the reasons for the proposal;
- (4) its effect on existing rules or orders;
- (5) any data supporting the proposal;
- (6) the effect of the proposed rule on existing practices, including cost factors;
- (7) the names and addresses, if known, of those most likely to be affected by the proposed rule; and
- (8) the name and address of the petitioner.

(c) The Commission for the Blind shall determine whether the public interest will be served by granting the petition. The Commission shall consider all of the contents of the submitted petition and any additional information it deems relevant.

(d) Within 120 days of submission of the petition, the Commission shall render a decision to deny the petition or to initiate rule-making proceedings, in accordance with G.S. 150B-20. If the decision is to approve the petition, the Commission shall initiate a rule-making proceeding by issuing notice, as provided in G.S. 150B-21.2.

*History Note: Authority G.S. 143B-157; 150B-20; 150B-21.2;
Eff. February 1, 1976;
Readopted Eff. November 16, 1977;
Amended Eff. August 1, 2002; February 1, 1986.*