

## **12 NCAC 09B .0409 SATISFACTION OF TRAINING -- SMI OPERATORS**

(a) To satisfy the training requirements for operator certification, a trainee shall complete all of the following:

- (1) achieve a minimum score of 70 percent correct answers on the comprehensive state examination as outlined in 12 NCAC 09B .0408;
- (2) complete a Commission-approved course as prescribed under 12 NCAC 09B .0212(a), .0238(a), or .0242(a) as evidenced by a completed Post Delivery Form (F-10B) pursuant to 12 NCAC 09I .0102;
- (3) demonstrate proficiency in the motor-skill and performance subject areas to a certified Speed Measurement Instrument (SMI) instructor as evidenced on documentation on the Commission's SMI-1 Form for radar instruments and SMI-13 Form for lidar instruments, pursuant to 12 NCAC 09I .0106;
- (4) present evidence showing completion of 12 hours of supervised field practice, as outlined in Paragraph (c) of this Rule, within 90 days after completing a RADAR or RADAR/LIDAR operator training course as prescribed in 12 NCAC 09B .0212, .0215, and .0242. Evidence of completion shall consist of a completed SMI-15 Form pursuant to 12 NCAC 09I .0106. Individuals applying for SMI operator certification may request an extension of up to 12 months for the 90-day requirement to complete the 12 hours of supervised field practice. The Director shall grant the extension request upon a showing of just cause which, for the purposes of this rule, includes accident, illness, emergency, course cancellation, or other exceptional circumstance that prevents the applicant from completing the required supervised field practice time;
  - (A) Individuals shall be exempt from the portions of the required supervised field practice, as outlined in Subparagraph (c)(4) of this Rule, which they have completed at a prior date, upon providing evidence of prior completion; and
  - (B) Evidence shall include a completed SMI-14 Form pursuant to 12 NCAC 09I .0106, and a copy of the individual's prior SMI operator or instructor certification which lists the instruments and modes which the officer is certified to operate. Division staff shall evaluate the evidence of prior completion to determine which portions of the supervised field practice have been completed at a prior date.

(b) Any trainee failing to achieve proficiency in the motor-skill area may request re-examination within 15 days of the original examination. The trainee's request for re-examination shall consist of a completed F-23 Exam Admission Form, pursuant to 12 NCAC 09I .0102. A trainee shall have, within 30 days of the original examination, only one opportunity for motor-skill re-examination and must complete each identified area of deficiency on the original motor-skill examination. If the trainee fails to achieve the prescribed score on the examination, the trainee's active SMI operator certifications shall be immediately revoked, and the trainee shall not be eligible for certification or re-certification until a subsequent SMI operator training course offering is completed, as prescribed under 12 NCAC 09B .0212(a), .0238(a), or .0242(a) and further examination is completed.

(c) The 12 hours of supervised field practice shall be completed as follows:

- (1) The trainee must conduct the 12 hours of field practice using the radar instrument with the most modes, pursuant to 12 NCAC 09C .0308(h), that the trainee is seeking certification to operate;
- (2) The trainee shall operate the police vehicle and the radar instrument while being supervised by a certified radar instructor or operator who is certified to operate the radar instrument used by the trainee during the field practice;
- (3) SMIs shall not be used to enforce speed violations by the trainee or by the supervising radar operator or instructor during the 12 hours of field practice;
- (4) The 12 hours of field practice shall be completed according to the following time requirements:
  - (A) for trainees seeking certification with a dual antenna unit and with stationary, moving-opposite direction, and moving-same direction modes: 120 minutes in each mode while using the front antenna and 120 minutes in each mode while using the rear antenna;
  - (B) for trainees seeking certification with a dual antenna unit and with stationary and moving-opposite modes only: 180 minutes in each mode while using the front antenna and 180 minutes in each mode while using the rear antenna;
  - (C) for trainees seeking certification with a dual antenna unit and with stationary mode only: 360 minutes in stationary mode while using the front antenna and 360 minutes in stationary mode while using the rear antenna;

- (D) for trainees seeking certification with a single antenna unit and with stationary, moving-opposite direction, and moving-same direction modes: 240 minutes in each mode while using the front antenna;
  - (E) for trainees seeking certification with a single antenna unit and with stationary and moving-opposite modes only: 360 minutes in each mode while using the front antenna; or
  - (F) for trainees seeking certification with a single antenna unit and with stationary mode only: 720 minutes in stationary mode while using the front antenna.
- (d) To satisfy the training requirements for operator re-certification, an operator seeking re-certification shall:
- (1) Achieve a score of 75 percent correct answers on the comprehensive state examination provided for in 12 NCAC 09B .0408(c);
  - (2) Complete a Commission-approved course, prescribed under 12 NCAC 09B .0210(d), .0212(c), .0237(d), .0238(c), or .0242(c);
  - (3) Satisfy all motor-skill requirements as required in Subparagraph (a)(3) of this Rule; and
  - (4) For individuals seeking supplemental certification or re-certification to operate instruments with additional modes than those currently or previously certified to operate, complete 240 minutes of supervised field practice for each additional mode. For dual antenna instruments, 120 of the 240 minutes must be completed using each antenna.

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