



## Fiscal Note for Proposed Hunter Education Rule Amendment

**Rule Amendment:** 15A NCAC 10K .0101 Course Requirements  
15A NCAC 10K .0102 Issuance of Certificate of Competency  
15A NCAC 10K .0103 Instructor Certification

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**Impact:**

|                              |     |
|------------------------------|-----|
| State Government:            | No  |
| Local Government:            | No  |
| Private Impact:              | Yes |
| Substantial Economic Impact: | No  |

**Authority:** G.S. 113-134; 113-292

### **BACKGROUND**

The wildlife resources of the State belong to the people of the State as a whole, including the enjoyment of these resources (G.S. 113-131(a)). The NC Wildlife Resources Commission (NCWRC) is tasked with the conservation of wildlife resources of the State (G.S. 143-239). This responsibility includes managing as equitably as possible the various competing interests regarding these resources, including the use and take of such resources (G.S. 113-131.1(a)). The statutes governing wildlife resources are found in Chapter 113, Subchapter IV of the General Statutes, and the NCWRC has been granted rulemaking authority to implement the provisions of these statutes (G.S. 113-134).

A summary of the proposed rule amendments follows, with the proposed rule text included in Appendix A.

## **RULE AMENDMENTS AND IMPACT ANALYSIS**

### **15A NCAC 10K .0101**

This rule contains requirements for a basic hunter education course that must be completed by individuals who wish to procure a NC hunting license. The proposed amendments are for the purpose of reducing redundancy with general statute and aligning with current rule formatting requirements.

These amendments include the removal of specific language regarding course standards, content percentage requirements, and the safe firearms handling portion of the course requirements and exemptions. There is no impact from the removal of this language, as G.S. 113-270.1A(b) specifies course content, they apply to all basic hunter education courses, and removal from the rule eliminates redundancy and clarifies the actual course requirements. All other amendments are technical in nature and will not change current practices and therefore have no anticipated impact other than improved clarity. Improved rule clarity is anticipated to result in clear understanding of and compliance with the rule.

### **15A NCAC 10K .0102**

This rule contains requirements related to the issuance of a certificate of competency upon completion of the basic hunter education course. The proposed amendments are for the purpose of clarity and alignment with statute and current rule formatting requirements.

The proposed addition of paragraph (d) allows the Commission to recognize a course completed in another state or province if the course meets or exceeds the standards of the International Hunter Education Association. This addition aligns with G.S. 113-270.1A(b)(4) which allows the Commission to accept a similar certificate issued outside the State by a governmental agency if the “privileges are reciprocal for North Carolina residents.” This provision has always been applied by the Commission and is only being added for clarity. As such, there are no anticipated impacts from the proposed change.

### **15A NCAC 10K .0103**

This rule contains requirements for individuals who want to be certified as hunter education instructors. Most of the proposed amendments are for the purpose of clarity and alignment with current rule formatting requirements. As such, they will have no impact other than from improved clarity and compliance with the hunter educator requirements. In addition, there are two proposed substantive changes, as follows:

1. A proposed amendment to .0103(b)(4) will remove the allowance of an abbreviated Hunter Education Instructor Course for teachers certified by the NC Department of Public Instruction (DPI) and individuals certified as instructors in other states. The abbreviated course differs from the full instructor course in that it does not cover teaching techniques and resources. Over the years, the agency has found that teachers aren't as familiar as they used to be with some of these topics, and some other states are not as thorough as North Carolina in their instructor training.

Thus, the amendment is proposed to ensure that all instructors will have the same training and in turn, that hunter education course participants will receive a consistent level of instruction. Though not guaranteed, this consistency could lead to improved quality of instruction which could translate to improved compliance with hunting regulations and safety of hunters.

However, there is the potential that out-of-state instructors and DPI-certified teachers may not want to take the complete Hunter Education Instructor Course because it will require additional time. As a result, the agency may miss an opportunity to add qualified instructors to the team of hunter education volunteers. The agency believes that any future impacts due to removing the abbreviated instructor course would be minimal, however, as this provision is only used with 20 instructors each year on average, most of whom don't even know about the abbreviated class until it is offered to them.

2. A proposed amendment to .0103(b)(4) will increase the passing score for hunter education instructors from 75% to 80%. This change is proposed to increase the credibility of instructors and hold them to a higher standard.

It is possible that because of this change, fewer people will qualify and become instructors. However, most candidates currently exceed 90 percent on the instructor examination. If an individual doesn't pass the exam, the agency will work with them to improve their score by providing remedial training, mentorship, or alternative testing options and allows them to retest. For these reasons, the agency does not anticipate the proposed amendment will have an impact.

## APPENDIX A

### SUBCHAPTER 10K – HUNTER EDUCATION COURSE

#### 15A NCAC 10K .0101 COURSE REQUIREMENTS

(a) ~~The Commission shall provide a hunter education~~ Individuals who wish to procure a hunting license, as required by G.S. 113-270.1B, shall attend a Commission-approved basic hunter education course and obtain a certificate of competency.

(b) Commission-approved basic hunter education courses include either an instructor-led course with a minimum of six hours of instruction or a Commission-approved self-paced, independent study option course that instructs on at least the topics identified in Paragraph (b) of this Rule. G.S. 113-270.1A(b). ~~Information on instructor-led Commission-approved courses and registration for the self-paced study option can be found at [ncwildlife.org](http://www.newwildlife.org). is at <http://www.newwildlife.org/Hunting/BeforetheHunt/HunterEducationCourses.aspx>. Both the instructor led and self-paced study option courses shall meet the standards adopted by the International Hunter Education Association, including all subsequent amendments, found at <http://ihea-usa.org/hunting-and-shooting/hunter-education/ihea-standards>.~~

(b) ~~Of the instruction required by Paragraph (a) of this Rule, 60 percent of the time shall be devoted to instruction related to the safe handling of firearms. The remaining course time shall include instruction on hunter responsibility (ethics), wildlife conservation, and wildlife management; and may include wildlife identification, game care, specialty hunting, survival and first aid, water safety, and special concerns (alcohol and drugs, turkey hunting, trapping, all terrain vehicles, and hunting dogs).~~

(c) ~~The hunter education course shall be administered by an instructor certified by the Wildlife Resources Commission.~~

(d) (c) The following requirements must be satisfied by the course participant in order to successfully complete a basic hunter education course and be entitled to the issuance of a Certificate of Competency:

- (1) complete all of the six hours of instruction in the instructor-led course or all the material contained in the independent study course; and
- (2) score a minimum of 70 percent on the final examination; and examination.
- (3) ~~review safe firearm handling skills, except current and former military personnel, current and former law enforcement officers, and National Rifle Association certified firearms instructors are exempt from this requirement. Exempt individuals must show current documentation of their exempt status.~~

*History Note:* Authority G.S. 113-134; 113-270.1A;

*Eff. October 1, 1991;*

*Amended Eff. June 1, 2014, April 1, 2003; April 1, 1996.*

**15A NCAC 10K .0102 ISSUANCE OF CERTIFICATE OF COMPETENCY**

(a) Upon ~~the conclusion~~ successful completion of a basic hunter safety education course, ~~the instructor shall complete a card for each participant who successfully completed the course in accordance with 15A NCAC 10K Rule .0101 of this Section, and forward the card record to the North Carolina Wildlife Resources~~ a certificate of competency shall be issued by the Commission. ~~Commission for processing.~~

(b) ~~After receiving the completed card referred to in Paragraph (a) of this Rule, the Commission shall issue a Certificate of Competency to each participant who successfully completes the course. This certificate shall include:~~

- (1) ~~— a certification number;~~
- (2) ~~— the participant's name, address, and date of birth;~~
- (3) ~~— the hunter safety course instructor's name; and~~
- (4) ~~— course completion date.~~

(c) ~~The Commission shall maintain permanent files of all successful participants in hunter safety courses who were issued a certificate of competency. Duplicate certificates may be obtained from the Commission. Commission free of charge upon request.~~

(d) The Commission may recognize a certificate of competency from another state or province so long as the hunter education course met or exceeded the standards of the International Hunter Education Association, including subsequent amendments and editions, found at [ihea-usa.org/resources/#Standards](http://ihea-usa.org/resources/#Standards).

*History Note: Authority G.S. 113-134; 113-270.1A;  
Eff. September 1, 1991;  
Amended Eff. April 1, 2003; May 1, 1995*

## 15A NCAC 10K .0103 INSTRUCTOR CERTIFICATION

(a) Hunter Education Instructors shall be certified by the Commission prior to delivering basic hunter education courses.

(b) To be eligible for Hunter ~~Safety~~ Education Instructor Certification an individual ~~must~~ shall:

- (1) ~~Be~~ be at least 21 years of age ~~upon~~ at the time of application;
- (2) ~~Be a graduate of~~ possess a certificate of competency from a Commission-approved Basic Hunter Education ~~Safety~~ Course approved by the Wildlife Resources Commission. ~~Course. Approved courses must satisfy the requirements set out in 15A NCAC 10K .0101 or be certified by a state or province that meets and or exceeds the requirements set out in 15A NCAC 10K .0101;~~
- (3) ~~Complete~~ complete and submit to the Commission, the North Carolina Hunter ~~Safety~~ Education Instructors ~~Application;~~ application, available at [ncwildlife.org](http://ncwildlife.org), with the following information:
  - (A) Name, address, email, phone number; and
  - (B) Date of birth.
- (4) ~~Complete~~ complete the ~~12-hour~~ Commission-led Hunter ~~Safety~~ Education Instructors Course, and course and score 75~~80~~ percent or higher on the written examination. ~~Teachers certified by the North Carolina Department of Public Instruction and persons who have been certified as hunter safety instructors by another state may take an abbreviated course that is less than 12 hours;~~
- (5) ~~Submit~~ submit to a background investigation including a records check ~~which reveals no~~ with none of the following disqualifying convictions identified: ~~convictions. Disqualifying convictions are listed as follows:~~
  - (a) ~~a felony;~~ or felony;
  - (b) a crime or unlawful act defined as a "Class 1" misdemeanor within the ~~five-year~~ five-year period prior to the date of application; or
  - (c) any conviction of ~~the~~ game and fish law which would require a mandatory suspension and or revocation of a license as indicated in G.S. 113-276.3 within the ~~three-year~~ three-year period prior to the date of application.

*History Note: Authority G.S. 113-134; 113-270.1A;  
Eff. May 1, 1996;  
Amended Eff. April 1, 2003.*