

1 10A NCAC 13P .0216 is readopted with changes as published in 30:24 NCR, pp. 2558-2606, as follows:

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3 **10A NCAC 13P .0216 WEAPONS AND EXPLOSIVES FORBIDDEN**

4 (a) Weapons, ~~as defined by the local county district attorney's office, whether lethal or non-lethal,~~ and explosives
5 shall not be worn or carried aboard an ambulance or EMS ~~nontransporting~~ non-transporting vehicle within the State
6 of North Carolina when the vehicle is operating in any patient treatment or transport capacity or is available for such
7 function.

8 (b) Conducted electrical weapons and chemical irritants such as mace, pepper (oleoresin capsicum) spray, and tear
9 gas ~~are~~ shall be considered weapons for the purpose of this Rule.

10 ~~(b)~~ (c) This Rule shall apply whether or not such weapons and explosives are concealed or visible.

11 (d) If any weapon is found to be in the possession of a patient or person accompanying the patient during
12 transportation, the weapon shall be safely secured in accordance with the weapons policy as set forth in Rule
13 .0201(a)(13)(I) of this Section.

14 (e) Weapons authorized for use by EMS personnel attached to a law enforcement tactical team in accordance with
15 the weapons policy as set forth in Rule .0201(a)(13)(I) of this Section may be secured in a locked, dedicated
16 compartment or gun safe mounted within the ambulance or non-transporting vehicle for use when dispatched in
17 support of the law enforcement tactical team, but are not to be worn or carried open or concealed by any EMS
18 personnel in the performance of normal EMS duties under any circumstances.

19 ~~(e)~~ (f) This Rule shall not apply to duly appointed law enforcement officers.

20 ~~(d)~~ (g) Safety flares are authorized for use on an ambulance with the following restrictions:

- 21 (1) ~~These~~ these devices are not stored inside the patient compartment of the ambulance; and
22 (2) ~~These~~ these devices shall be packaged and stored so as to prevent accidental discharge or ignition.

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24 *History Note: Authority G.S. 131E-157(a); 143-508(d)(8);*

25 *Temporary Adoption Eff. January 1, 2002;*

26 *Eff. April 1, 2003- 2003;*

27 *Readopted Eff. January 1, 2017.*