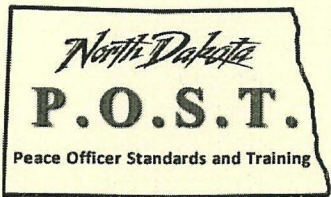


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www.post.nd.gov

S/A Duane Stanley
Executive Secretary

November 20, 2021

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Tom Falck
ND Association of Counties

Deputy Chief Steve Armstrong
Williston Police Department

Captain Joe Cianni
Dickinson Police Department

Sheriff Jesse Jahner
Cass County S.O.

Ms. Vonette Richter
Assistant Code Revisor
Legislative Council
600 East Boulevard, 2nd Floor
Bismarck, ND 58505-0360

Dear Ms. Richter:

The Notice of Intent to Adopt Administrative Rules and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1).

Sincerely,

A handwritten signature in blue ink, appearing to read "Duane Stanley". The signature is fluid and cursive, with a large loop at the end.

Duane Stanley
Executive Secretary
ND POST Board

Enc.

FULL NOTICE OF INTENT TO ADOPT, AMEND AND REPEAL ADMINISTRATIVE RULES

TAKE NOTICE that the North Dakota Peace Officer Standards and Training Board will hold a public hearing to address proposed new, amendments to, and repeal of N.D. Admin. Code 109-01 and 109-02 at 11:00 A.M. on December 29, 2021, at the Law Enforcement Training Academy, 1320 Schafer Street, Bismarck, ND 58501. The purpose of the proposed rules, amendments, and repeals are to implement statutes, improve the rules and to bring the rules into compliance with board interpretations. The proposed rules create various sections including creating the definition of the basic reserve peace officer training course, creating the definition of officer, creating the definition of on-line training, creating the definition of reserve peace officer and requirements. The proposed rules also create the reserve peace officer license, create reserve peace officer continuing education requirements, create the reserve peace officer licensing examination and the reserve basic reserve law enforcement training course requirements. The proposed rules also create the definitions of good standing, officers, and on-line training. The proposed rules also create who can administer board medical examinations and the duration for how long medical and psychological examinations are accepted by the board. The proposed rules create a late instructor license renewal fee, add requirements for license applicants and add excessive use of force to the code of conduct.

The proposed rules amend definitions of duty equipment and duty weapon, definition of law enforcement training academy, definition of license requirement, definition of moral turpitude, definition of peace officer, definition of sidearm, definition of sidearm qualification and the definition of training provider. The proposed rules amend the application of some rules to all licensees, amend the criminal history background investigation, amend minimum license requirements, amend agency responsibilities, amend continuing education requirements, amends the waiver rule, amends the sidearm qualification procedure, amends instructor certification procedures, amends the code of conduct and amends the confidential informant rule.

The proposed rules repeal the definition of full time peace officer and the notice of action regarding training providers.

The proposed rules, amendments, and repeal are not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rulemaking implements bill number 1122, enacted during the most recent legislative session, concerning the authority of the Peace Officer Standards and Training Board over reserve officers.

The proposed rules may be reviewed at the office of the Peace Officer Standards and Training Board, 1720 Burlington Drive, Suite B, Bismarck, ND, 58504. A copy of the proposed rules and/or a regulatory analysis may be requested by writing the above address, e-mailing ds417@nd.gov or calling 701-328-5516. A copy of the proposed rules may also be viewed on the Peace Officer Standards and Training Board website at www.post.nd.gov. Written or oral comments on the proposed rules sent to the above address or telephone number and received by January 10, 2022 will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the Peace Officer Standards and Training Board at the above telephone number or address at least by December 27, 2021, two days prior to the public hearing.

Dated this 22nd day of November, 2021

Duane Stanley
Executive Secretary, ND POST Board