



## N.C. DEPARTMENT OF TRANSPORTATION

### NCDOT Proposed Rule Changes

Forms, Acute or Chronic Illness, Driving Records, Definitions, Requirements for Third Party Testers, Requirements for Third Party Examiners, Certificates, Application for Third Party Tester Certification, Application for Third Party Examiner Certification, On-Site Inspections and Audits, Evaluation of Applicants by the Division, and Definition.

Forms and Publications, Conditions for Issuing Temporary Markers by a Dealer, Dealer Plates, Illegal Use of Dealer Plates, Vehicles Offered for Sale Owned by Dealership, Vehicles Offered for Sale on Consignment, Vehicles Offered for Sale on a Floor Plan Lien, Corp. Surety Bonds: Mobile Manufactured Home Dealers, Unclaimed Motor Vehicle, Sale of Vehicle to Satisfy Garage Storage or Mechanic Lien, Sale of Motor Vehicle Under Judicial Proceedings, Sale of Abandoned Vehicle, Definitions, Licensing of Safety or Emissions Inspection Stations, Stations, Mechanic Requirements, Licensing Requirements, Denial, Suspension or Revocation of Licenses, Operation of Safety Emissions Inspections Stations, Pre-Inspection Requirements, Safety Equipment Grading Items, Emission Controls Tampering Check, Safety Equipment Emission Inspections, Certification, Disapproval, Reinspection, Brakes, Lights, Horns, Steering Mechanism, Windshield Wiper, Directional Signals, Tires, Tires-Definitions, Rear View Mirrors, Exhaust Emission Controls, Emissions Control Device, Inspection Procedure for Emissions Equipment, Safety Inspection of Motorcycles, Investigation/Audit/Safety or Emissions Inspection Stations, Waivers from Emissions Test Requirements, Window Tinting, and Photometer Design and Performance Requirements.

### North Carolina Administrative Code (NCAC)

19A NCAC 03B .0103, .0301, .0403, .0702-.0707, .0709, .0711, and .0801  
19A NCAC 03D .102, .0221, .0223-.0227, .0229, .0402-.405, .0517-.0523, .0525-.0545, and .0550-.0552

### Virtual Public Hearing

Tuesday, April 20, 2021 11:00 AM

Pre-register at <https://attendee.gotowebinar.com/register/550536879713916687>

After registering, you will receive a confirmation email containing information about joining the webinar.

## **PURPOSE OF VIRTUAL PUBLIC HEARING**

The virtual public hearing is an opportunity for you, the public, to be involved in the rulemaking process, and is being held to solicit comments regarding the request to amend, adopt or repeal portions of the N.C. Administrative Code per the rules process.

## **YOUR PARTICIPATION**

You are encouraged to participate by making your comments and/or questions a part of the public record. This can be done by having them recorded at the Formal Virtual Public Hearing or by providing them in writing.

You may leave your written comments and/or questions by submitting them via mail or email to the contact below.

**The public comment period ends May 3, 2021 for the following rules:**

**19A NCAC 03D .0102, .0221, .0223-.0227, .0229, .0402-.405, .0517-.0523, .0525-.0545, and .0550-.0552**

**The public comment period ends May 18, 2021 for the following rules:**

**19A NCAC 03B .0103, .0301, .0403, .0702-.0707, .0709, .0711, and .0801.**

Attn: Jamille Robbins  
NCDOT – Environmental Analysis Unit  
1598 Mail Service Center  
Raleigh, NC 27699-1598  
Email: [rulemaking@ncdot.gov](mailto:rulemaking@ncdot.gov)

Everyone present is urged to participate in the proceedings. It is important, however, that **THE OPINIONS OF ALL INDIVIDUALS BE RESPECTED REGARDLESS OF HOW DIVERGENT THEY MAY BE FROM YOUR OWN.** Accordingly, debates are out of place at public hearings. Also, the public hearing is not to be used as a popular referendum to determine the location and/or design by a majority vote of those present.

## **WHAT IS DONE WITH THE INPUT?**

All input received through the public hearing process will be reviewed by the Division of Motor Vehicles staff prior to adoption of the proposed permanent rules. The Division will then submit the adopted proposed permanent rules to the Rules Review Commission with the Office of Administrative Hearings for review.

## **FOR MORE INFORMATION**

Please go to <https://www.ncdot.gov/about-us/how-we-operate/policy-process/rules/> for more information about the rules change process.

### **REASON FOR PROPOSED RULES CHANGES**

Pursuant to G.S. 150B-21.3A, Periodic Review and Expiration of Existing Rules, all rules are reviewed at least every 10 years or they shall expire. As a result of the periodic review of Subchapter 19A NCAC 03B and 3D, these proposed rules were determined as “Necessary With Substantive Public Interest” thus necessitating readoption.

Upon review for the readoption process, the agency deemed the following rules to be necessary without substantive changes and are recommended for readoption:

19A NCAC 03B .0301, .0403, .0702-.0707, .0709 and .0801.

19A NCAC 03D .0223, .0225, .0227, .0229, .0402-.0405, .0517-.0523, .0525, .0527-.0545 and .0550-.0552.

Upon review for the readoption process, the agency deemed the following rules to be necessary without substantive changes and are recommended for amendment:

19A NCAC 03D .0221, .0224, .0226 and .0526.

Upon review for the readoption process, the agency deemed the following rules to be unnecessary and are recommended for repeal through readoption:

19A NCAC 03B .0103 and 19A NCAC 03D .0102 .

1 19A NCAC 03B .0103 is proposed for repeal through readoption as follows:

2

3 **19A NCAC 03B .0103 FORMS**

4

5 ~~The forms used by the driver license section of the Division of Motor Vehicles are on file in the commissioner's office~~  
6 ~~and are available for review during normal working hours.~~

7

8 *History Note: Authority G.S. 20-7; 20-39;*

9 *Eff. July 1, 1978;*

10 *Amended Eff. November 1, 1991; June 5, ~~1981~~1981;*

11 *Repealed Eff. \_\_\_\_\_, 2021.*

12

1 19A NCAC 03B .0301 is proposed for readoption without substantive changes as follows:

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3 **19A NCAC 03B .0301 ACUTE OR CHRONIC ILLNESSES**

4

5 (a) Certain illnesses such as uncontrolled epilepsy, diabetes, severe vision problems, certain forms of mental illness,  
6 ~~alcoholism~~ alcoholism, and ~~others~~, others may make driving unadvisable either temporarily or permanently. Drivers  
7 suffering from such an illness may be referred to the Division for evaluation by any one of the following:

- 8 (1) driver license ~~examiner~~, examiner;
- 9 (2) driver license hearing ~~officer~~, officer;
- 10 (3) driver education ~~specialist~~, specialist;
- 11 (4) law enforcement ~~officers~~, officers;
- 12 (5) court ~~officials~~, officials;
- 13 (6) ~~physicians~~;
- 14 (7) citizens.

15 (b) Reports of chronic illness will be evaluated by a ~~Division of Health Services physician~~ and may be reviewed by a  
16 ~~panel of practicing physicians~~ the Medical Review Program. The ~~panel of physicians~~ Medical Advisors may  
17 recommend approval of the subject's driving privilege, approval with ~~restrictions~~ restrictions, or disapproval. A driver  
18 receiving an unfavorable decision may appeal the decisions to the Medical Review Board.

19

20 *History Note:* Authority ~~G.S. 20-1~~; 20-2(b); 20-9; 20-17.1;  
21 *Eff. July 1, 1978;*  
22 *Amended Eff. November 1, 1991; June 5, ~~1981~~, 1981;*  
23 *Readopted Eff. \_\_\_\_\_, 2021.*

1 19A NCAC 03B .0403 is proposed for re adoption without substantive changes as follows:

2

3 **19A NCAC 03B .0403 DRIVING RECORDS**

4

5 North Carolina G.S. 20-26(c) provides for copies of driver license records to be furnished, upon prepayment of the  
6 appropriate fee, to persons, ~~firms~~ firms, or corporations for uses other than official. The record check ~~will~~ shall contain  
7 only public information concerning the subject of the driver license check. Collision reports are not public information  
8 and shall not be a part of the driver license record check. Information on a specific collision ~~may~~ shall be obtained  
9 from the Collision Reports/General Services Section of the Division of Motor Vehicles, 1100 New Bern Avenue,  
10 Raleigh, North Carolina 27697.

11

12 *History Note: Authority G.S. 20-1; 20-26(b),(c); 20-39;*  
13 *Eff. July 1, 1978;*  
14 *Amended Eff. December 1, 1993; November 1, 1991; July 1, ~~1982~~ 1982;*  
15 *Readopted Eff. \_\_\_\_\_, 2021.*

16

17

1 19A NCAC 03B .0702 is proposed for readoption without substantive changes as follows:

2  
3 **19A NCAC 03B .0702 DEFINITIONS**

4  
5 The following words and terms, when used in these requirements, definitions shall apply for purposes of the Rules of  
6 this Section; have the following meaning:

- 7 (1) ~~"Division"~~ The Division means the North Carolina Division of Motor Vehicles.
- 8 (2) ~~"Commissioner"~~ The Commissioner means the North Carolina Commissioner of Motor Vehicles.
- 9 (3) ~~"CDL"~~ CDL means Commercial Drivers License.
- 10 (4) ~~"FHWA"~~ FHWA means the Federal Highway Administration.
- 11 (5) ~~"FMCSR"~~ The FMCSR means the Federal Motor Carrier Safety Regulations promulgated by the  
12 U.S. Department of Transportation.
- 13 (6) ~~"Approved Testing Program"~~ The Approved Testing Program means the skills tests required by  
14 the Division which shall be administered by a Third Party Tester.
- 15 (7) ~~"Tester Certificate"~~ The Tester Certificate means the document issued to a Third Party Tester  
16 authorizing ~~them~~ him or her to administer the approved testing program on behalf of the Division.
- 17 (8) ~~"Third Party Tester"~~ A Third Party Tester means a government entity, association, educational  
18 ~~institution~~ institution, or business entity engaged in the use of commercial motor vehicles, licensed  
19 by the Division to administer the approved testing program for CDL applicants in accordance with  
20 these requirements. Rules.
- 21 (9) ~~"Third Party Examiner"~~ An Third Party Examiner means an individual who is a payroll employee  
22 of a Third Party Tester and who has been issued an examiner certificate to conduct the skills tests  
23 required for a CDL.

24  
25 *History Note:* Authority G.S. 20-37.22;  
26 Eff. September 1, 1990-1990;  
27 Readopted Eff. \_\_\_\_\_, 2021.

1 19A NCAC 03B .0703 is proposed for readoption without substantive changes as follows:

2  
3 **19A NCAC 03B .0703 REQUIREMENTS FOR THIRD PARTY TESTERS**  
4

5 (a) To be certified as a Third Party Tester a person must:

- 6 (1) ~~Make application to apply~~ and enter into an agreement with the Division as provided in Rule .0706  
7 of this ~~Section~~.Section;
- 8 (2) ~~Maintain~~maintain a place of business with at least one permanent regularly occupied structure  
9 within the state of North ~~Carolina~~.Carolina;
- 10 (3) ~~Ensure~~ensure its place of business meets all requirements of state law and local  
11 ~~ordinances~~.ordinances;
- 12 (4) ~~Have~~have at least one qualified and approved Third Party Examiner in its ~~employ~~.employ;
- 13 (5) ~~Allow~~allow FHWA, its ~~representative(s)~~,representatives and the Division to conduct random  
14 examinations, ~~inspections~~.inspections, and audits without prior ~~notice~~.notice;
- 15 (6) ~~Allow~~allow the Division to conduct periodic, but at least annual on-site ~~inspections~~.inspections;
- 16 (7) Maintain at each third party testing location, for a minimum of two years, a record of each  
17 driver for whom the Third Party Tester conducts a skills test, whether or not the driver passes or  
18 fails the test. Each such record shall include:
- 19 (A) ~~The~~the complete name and address of the driver;
- 20 (B) ~~The~~the driver's social security number, driver's license ~~number~~.number, and the name of  
21 the state or jurisdiction that issued the license held by the driver at the time of the test;
- 22 (C) ~~The~~the date the driver took the skills test;
- 23 (D) ~~The~~the test score ~~sheet(s)~~.sheets showing the results of the test;
- 24 (E) ~~The~~the name and identification number of the Third Party Examiner conducting the skills  
25 test;
- 26 (F) ~~The~~the record of all receipts and disbursements;
- 27 (G) ~~The~~the make, ~~model~~.model, and registration number of the commercial motor ~~vehicle(s)~~  
28 vehicles used to conduct the testing; and
- 29 (H) ~~The~~the written contract (~~copy~~),or copy if applicable, with any person or group of persons  
30 being tested.
- 31 (8) Maintain at each approved testing location, a record of each Third Party Examiner in the  
32 employ of the Third Party Tester at that location. Each record shall include:
- 33 (A) ~~A~~a valid Examiner Certificate indicating the Examiner at that location;
- 34 (B) ~~A~~a copy of the Third Party Examiner's current driving record, ~~which must that shall be~~  
35 updated annually; and
- 36 (C) ~~Evidence~~.evidence that the Third Party Examiner is a payroll employee of the Third Party  
37 Tester.



- 1 (9) ~~Retain~~retain all Third Party Examiner records for at least two years after the Third Party Examiner  
2 leaves the employ of the Third Party ~~Tester~~Tester;
- 3 (10) ~~Ensure~~ensure that the skills tests are conducted in accordance with the requirements of this  
4 ~~Section~~Section;
- 5 (11) ~~Provide~~provide documented proof through electronic means provided through a portal by the  
6 American Association of Motor Vehicle Administrators (using a form provided by the Division) to  
7 for each driver applicant who has ~~takes~~taken and ~~passes~~passed the required skills tests. The driver  
8 applicant ~~in turn~~ will then present ~~the form~~themselves to the Division and skills test scores will be  
9 verified through electronic means provided through a portal by AAMVA as evidence that they  
10 successfully passed the driving tests administered by the Third ~~Party~~and;
- 11 (12) ~~To~~to maintain certification the Third Party Tester must administer skills tests to a minimum of ~~five~~  
12 10 different driver applicants annually in accordance with the requirements of this Section.

13 (b) In addition to the requirements listed in Paragraph (a) of this Rule, all Third Party Testers who are not governmental  
14 entities or associations must:

- 15 (1) Truck and Bus Companies:
- 16 (A) ~~Employ~~employ at least 25 full-time, part-time, or seasonal North Carolina commercial  
17 motor vehicle licensed drivers; drivers (full time, part time, or seasonal) of commercial  
18 ~~motor vehicles~~.
- 19 (B) ~~Employ~~employ an individual who ~~would be~~is responsible for the organization's third party  
20 testing ~~operation~~operation; and
- 21 (C) ~~Have~~have been in operation in North Carolina a minimum of six months. ~~(If~~If the truck  
22 of bus company has been in operation less than six months under the current company  
23 name, the company shall identify previous company ~~name(s)~~names to cover the ~~six~~  
24 ~~month period~~six-month period.
- 25 (2) Educational Institutions:
- 26 (A) ~~Have~~have an established commercial motor vehicle training ~~program~~program and
- 27 (B) ~~Have~~have been in operation in North Carolina a minimum of six months.

28

29 *History Note:* Authority G.S. 20-37.13; 20-37.22;  
30 Eff. September 1, 1990;  
31 Amended Eff. August 1, 1994; December 1, ~~1993~~1993;  
32 Readopted Eff. \_\_\_\_\_, 2021.

1 19A NCAC 03B .0704 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03B .0704 REQUIREMENTS FOR THIRD PARTY EXAMINERS**

4

5 (a) Third Party Examiners may conduct skills tests on behalf of only one Third Party Tester at any given time. If a  
6 Third Party Examiner leaves the employ of a Third Party Tester ~~he/she~~ he or she must reapply ~~in order~~ to conduct  
7 tests on behalf of a new Third Party Tester.

8 (b) To qualify as a Third Party Examiner, an individual must:

- 9 (1) ~~Make application apply~~ on a form provided and sent to the applicant via email by the Division;
- 10 (2) ~~Be be~~ a payroll employee of the Third Party Tester;
- 11 (3) ~~Possess possess~~ a valid North Carolina Driver's License with classification and endorsements  
12 required for operation of the class and type of commercial motor vehicle used in the skills tests  
13 conducted by the Examiner; ~~and~~
- 14 (4) ~~Have have~~ successfully completed the CDL Examiner Training Course conducted by the Division.  
15 At a minimum upon completion of the training the Third Party Examiner shall have acquired and  
16 demonstrated the following knowledge and skills:
  - 17 (A) ~~A a~~ comprehensive understanding of ~~North Carolina G.S., Chapter G.S.~~ G.S. 20 Article 2C and  
18 the rules adopted pursuant thereto;
  - 19 (B) ~~A a~~ working knowledge of the CDL testing procedures and forms;
  - 20 (C) ~~Ability ability~~ to administer and ~~score correctly~~ correctly score each of the CDL skills test;  
21 and
  - 22 (D) ~~Knowledge knowledge~~ of testing site and route requirements.
- 23 (5) ~~Take take~~ part in all Division required advanced training courses, workshops and seminars;
- 24 (6) ~~Within ten~~ within 10 years prior to application have had no convictions for Driving While Impaired  
25 (DWI);
- 26 (7) ~~Within within~~ five years prior to application have had no driver's license suspensions, revocations,  
27 ~~cancellations cancellations~~, or disqualifications;
- 28 (8) ~~Be be~~ at least 21 years of age; and
- 29 (9) ~~Conduct conduct~~ skills tests on behalf of the Third Party Tester, in accordance with these Rules and  
30 in accordance with current instructions provided by the Division.

31

32 *History Note:* Authority G.S. 20-37.13; 20-37.22;  
33 Eff. September 1, 1990;  
34 Amended Eff. August 1, 1994; December 1, ~~1993-1993~~;  
35 Readopted Eff. \_\_\_\_\_, 2021.

1 19A NCAC 03B .0705 is proposed for re adoption without substantive changes as follows:

2

3 **19A NCAC 03B .0705 CERTIFICATES**

4

5 (a) A certificate ~~will~~shall be issued allowing the Third Party Tester to operate an approved testing program to give  
6 skills tests to applicants for a CDL.

7 (b) An examiner certificate ~~will~~shall be issued to qualified employees of the Third Party Tester.

8 (c) A copy of the Examiner's Certificate ~~must~~shall be displayed in the office of the Third Party Tester.

9 (d) The certificate issued by the Division to operate a Third Party Testing Program ~~will~~shall be effective on the date  
10 of issuance and shall be prominently displayed in the place of business of the Third Party Tester until cancelled or  
11 revoked.

12 (e) The Examiner's certificate ~~will~~shall be effective on the date of issuance and remain in effect unless the Examiner  
13 ~~must surrender~~surrenders the certificate to the Division when that Examiner becomes inactive ~~or, or~~until the  
14 certificate has been revoked or cancelled by the Division.

15 (f) A certificate to operate a Third Party Testing program shall be non-transferable.

16

17 *History Note: Authority G.S. 20-37.22;*

18 *Eff. September 1, ~~1990~~1990;*

19 *Readopted Eff. \_\_\_\_\_, 2021.*

1 19A NCAC 03B .0706 is proposed for readoption without substantive changes as follows:

2  
3 **19A NCAC 03B .0706 APPLICATION FOR THIRD PARTY TESTER CERTIFICATION**

4  
5 (a) Before any certificate is issued, an application shall be made in writing to the Division on a form prepared and  
6 ~~furnished~~ emailed to the applicant by the Division. The application shall include the following:

- 7 (1) ~~The the~~ official name, address, and telephone number of the principal office or  
8 ~~headquarters-headquarters~~;
- 9 (2) ~~Name-name~~, title, ~~address-address~~, and telephone number of the individual who has been designated  
10 the applicant's contact ~~person-person~~;
- 11 (3) ~~Description-description~~ of the type of organization that is applying that can include a governmental  
12 ~~(governmental-entirety, association, motor carrier, or educational institution)-institution~~, as well as the  
13 length of time ~~they have~~ the organization has been in business in North Carolina, if  
14 ~~applicable-applicable~~;
- 15 (4) ~~A a~~ description of the vehicle fleet owned or leased by the applicant, including a complete equipment  
16 roster as listed for insurance ~~purposes-purposes~~;
- 17 (5) ~~The the~~ class of testing for which the applicant is ~~applying-applying~~;
- 18 (6) ~~The the~~ total number of North Carolina licensed drivers employed to operate commercial motor  
19 vehicles, and the number of such drivers who are full-time, part-time, and ~~seasonal-seasonal~~;
- 20 (7) ~~Name, the name,~~ driver's license number, social security ~~number-number~~, and home address of those  
21 payroll ~~employee(s)-employees~~ who wish to be approved as Third Party ~~Examiners.Examiners~~;
- 22 (8) ~~Proof-proof~~ of the Third Party Tester meets the insurance requirements as stated in Rule .0714 (a) –  
23 ~~(d)-(d)~~;
- 24 (9) ~~The the~~ address of each North Carolina location where the applicant intends to conduct the skills  
25 tests as well as a description of the off-road facilities including a map, ~~drawing-drawing~~, or written  
26 description of the road test route that will be used for the on-road portion of the skills ~~test-test~~; and
- 27 (b) ~~Educational Institutions must~~ educational institutions shall submit with their application a  
28 description of their facilities, equipment and training curriculum. The number of applications for  
29 the previous year and the percent graduated must also be included.

30 (c) An applicant for a certificate shall also execute an agreement form provided via email by the Division in which  
31 the applicant agrees, at a minimum, to comply with the requirements and instructions of the Division for Third Party  
32 Tester, including audit procedures, and agrees to hold the Division harmless from liability resulting from the Third  
33 Party Tester's administration of its CDL Skills Test Program.

34  
35 *History Note:* Authority G.S. 20-37.22;  
36 Eff. September 1, 1990;  
37 Amended Eff. December 1, ~~1993~~-1993;



1 19A NCAC 03B .0707 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03B .0707 APPLICATION FOR THIRD PARTY EXAMINER CERTIFICATION**

4

5 Application for an Examiner Certificate shall be made on a form ~~supplied~~emailed by the Division. The form shall  
6 require at least the following information:

- 7 (1) ~~Full the full~~ name, home and business ~~addresses~~address, and telephone numbers;
- 8 (2) ~~Driving~~the driving history, including class of current license and any endorsements, and restrictions;
- 9 (3) ~~Name, address~~the name, address, and telephone number of the applicant's employer who has applied  
10 for or received a certificate as a Third Party Tester; and
- 11 (4) ~~Employer's~~the employer's recommendation of the applicant for and examiner certificate, as well as  
12 proof that the applicant is a payroll employee.

13

14 *History Note: Authority G.S. 20-37.22;*  
 15 *Eff. September 1, ~~1990~~1990;*  
 16 *Readopted Eff. \_\_\_\_\_, 2021.*

17

1 19A NCAC 03B .0709 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03B .0709 ON-SITE INSPECTIONS AND AUDITS**

4

5 (a) All applicants for a Third Party Tester Certificate shall permit the FHWA or the Division to inspect and audit its  
6 operations, ~~facilities~~ facilities, and records as they relate to its Third Party Testing program, for the purpose of  
7 determining whether the applicant is qualified to be certified.

8 (b) Third Party Testers who have been certified shall permit the Division or FHWA to periodically inspect and audit  
9 its Third Party Testing program to determine whether it remains in compliance with the certification requirements.

10 (c) The Division and FHWA ~~will~~ shall perform inspections and audits with or without prior notice to the Third Party  
11 Tester.

12 (d) Inspections and audits ~~will~~ shall include, at a minimum, an examination of:

- 13 (1) ~~Records~~ records relating to Third Party Testing program;
- 14 (2) ~~Evidence~~ evidence of compliance with the FMCSR's;
- 15 (3) ~~Skills~~ skills testing procedures practices and operations;
- 16 (4) ~~Vehicles~~ vehicles used for testing;
- 17 (5) ~~Qualifications~~ qualifications of Third Party Examiners;
- 18 (6) ~~Effectiveness~~ effectiveness of the skills test program by either testing a sample of drivers who have  
19 been issued skills test certificates by the Third Party Tester or having Division employees take the  
20 skills tests from a Third Party Examiner; and
- 21 (7) Any ~~other aspect of the~~ Third Party Tester's operation that the Division determines is necessary to  
22 verify that the Third Party Tester meets the requirements for the certification.

23 (e) The Division ~~will~~ shall prepare a written report of each inspection and audit report of the results of each inspection  
24 and audit. A copy of the report ~~will~~ shall be provided to the Third Party Tester.

25

26 *History Note: Authority G.S. 20-37.22;*  
27 *Eff. September 1, 1990;*  
28 *Amended Eff. December 1, ~~1993~~ 1993;*  
29 *Readopted Eff. \_\_\_\_\_, 2021.*

30

1 19A NCAC 03B .0711 is proposed for re adoption without substantive changes as follows:

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3 **19A NCAC 03B .0711 EVALUATION OF APPLICANTS BY THE DIVISION**

4

5 (a) The Division ~~will~~shall evaluate the materials submitted by the Third Party Tester applicant, and if the application  
6 materials are satisfactory, the Division may schedule an on-site inspection and audit of the applicant's Third Party  
7 Testing Program to complete the evaluation.

8 (b) The Division ~~will~~shall evaluate the materials submitted by the Third Party Examiner applicant including the  
9 applicant's driving record, qualification questionnaire, and certificate of training.

10

11 *History Note:* Authority G.S. 20-37.22;  
12 Eff. September 1, ~~1990~~1990;  
13 Readopted Eff. \_\_\_\_\_, 2021.

14



1 19A NCAC 03B .0801 is proposed for reoption without substantive changes as follows:

2

3 **19A NCAC 03B .0801 DEFINITION**

4

5 The value specified by the manufacturer as the maximum loaded weight of a vehicle. The ~~GVWR~~Gross Vehicle  
6 Weight Rating (GVWR) of a combination vehicle is the GVWR of the power unit plus the GVWR of the towed unit  
7 or units. In the absence of the manufacturer's GVWR label affixed to the vehicle, the registered weight or the actual  
8 weight, whichever is greater, shall be the GVWR.

9

10 *History Note: Authority G.S. 20-37.22;*

11 *Eff. July 1, ~~1992~~, 1992;*

12 *Readopted Eff. \_\_\_\_\_, 2021.*

13

1 19A NCAC 03D .0102 is proposed for repeal through readoption as follows:

2

3 **19A NCAC 03D .0102 FORMS AND PUBLICATIONS**

4 ~~All forms and publications pertaining to this Subchapter are on file in the Office of the Commissioner of Motor~~  
5 ~~Vehicles and are available for inspection during normal working hours.~~

6

7 *History Note: Authority G.S. 20-1;*

8 *Eff. July 1, 1978;*

9 *Amended Eff. January 1, 1994; February 1, 1982; April 11, ~~1980-1980~~;*

10 *Repealed Eff. \_\_\_\_\_ 2021.*

11

1 19A NCAC 03D .0221 is proposed for amendment without substantive changes as follows:

2  
3 **19A NCAC 03D .0221 CONDITIONS FOR ISSUING TEMPORARY MARKERS BY A DEALER**

4  
5 (a) ~~Before a temporary marker can be issued by a~~ A dealer shall meet the following conditions ~~must be met~~: before  
6 issuing a temporary marker:

7 (1) Ownership in the vehicle ~~must shall~~ pass from the dealer to the purchaser ~~by: by assigning the title~~  
8 ~~or Manufacturer's Certificate of Origin and by delivering the vehicle to the buyer.:~~

9 (A) assigning the title or, Manufacturer's Certificate of Origin; and

10 (B) delivering the vehicle to the buyer.

11 (2) Dealer has ~~met all~~ obtained from purchaser an application and fee requirements pursuant to G.S. 20-  
12 79.1. for registering and titling of the purchased vehicle.

13 (3) ~~Dealer has collected all prescribed fees for titling and registering the vehicle.~~

14 (3) Dealer has proof of certification (Form FR-2) certifying liability insurance pursuant to G.S. 20-  
15 79.21. in effect.

16 (4) Exception. Subparagraphs (a)(2) and (3) of this Rule ~~do shall~~ not apply when the dealer is selling  
17 the vehicle to an out-of-state purchaser and the vehicle is to be removed from the State of North  
18 Carolina to the purchaser's ~~home state~~ place of residency prior to the expiration of the 30-day  
19 temporary registration marker. Proof of insurance Form FS-1 FR-2 (Insurance Certification) shall  
20 be completed and kept by the dealer as part of his or her records.

21 (b) Procedure for issuance of 30-day temporary markers:

22 (1) All 30-day temporary markers shall be issued in numerical order, beginning with the lowest number  
23 of the set or sets.

24 (2) The vehicle identification number, the make, the issuance date, and the expiration date shall be  
25 entered ~~clearly and indelibly~~ on the face of the temporary marker.

26 (3) A receipt, which corresponds in number with the 30-day temporary marker, shall be issued.

27 (4) The receipt shall be completed in ~~duplicate~~ duplicate, with pen and ink, and ~~must shall~~ be legible.

28 (5) The white copy of the receipt, with the 30-day marker, shall be delivered to the purchaser. The pink  
29 copy ~~is to shall~~ be retained ~~in the book~~ by the issuing dealer for ~~at least~~ one year.

30 (6) Pursuant to G.S. 20-52. All all documents necessary to title and register the vehicle shall be presented  
31 to a license plate agency or mailed to the North Carolina Division of Motor Vehicles within four  
32 working days from date of issuance. When the purchaser is a nonresident, a 30-day temporary  
33 marker may be issued to the nonresident for the sole purpose of removing the vehicle to his or her  
34 ~~home state,~~ place of residency provided the customer has in effect liability insurance with a company  
35 licensed in North Carolina. The dealer is neither required to obtain from such nonresident a written  
36 application for North Carolina registration nor to collect the North Carolina registration fees.  
37 However, Form ~~FR-2~~ FS-1 shall be completed and kept by the dealer as part of his or her records.

1 If a plate is to be transferred, a 30-day temporary marker cannot be issued. All ~~required~~ information  
2 shall be recorded on the report sheet in the back of receipt book.

3 (7) All 30-day temporary markers and receipts that are voided shall be marked "~~void~~" void and recorded  
4 on the report sheet. The white copy of the receipt and the 30-day temporary marker shall be  
5 forwarded to the North Carolina Division of Motor Vehicles ~~Enforcement Section~~ License and Theft  
6 Bureau together with the report sheets. Receipts and 30-day temporary markers that do not match  
7 shall be returned to the Division after recording on report sheet. The receipt is ~~not to~~ shall not be  
8 altered.

9 (8) Only one 30-day temporary marker ~~may~~ shall be issued per vehicle per ~~sale~~ sale unless requirements  
10 in G.S. 20-79.1(h) are met.

11 (9) Upon issuance of all receipts (~~Markers~~) in each receipt book, the report sheet ~~must~~ shall be  
12 completed in duplicate and the original mailed to the Division. ~~A copy of the report sheet must be~~  
13 ~~retained by the Dealer for one year.~~

14 (10) ~~All 30-day temporary markers are non-transferable between dealers.~~

15  
16 *History Note: Authority G.S. 20-39; 20-79.1;*  
17 *Eff. June 1, 1988;*  
18 *Amended Eff. January 1, 1994; October 1, 1991; October 1, 1989;*  
19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September*  
20 *22, ~~2018~~ 2018;*  
21 *Readopted Eff. \_\_\_\_\_ 2021.*  
22

1 8719A NCAC 03D .0223 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03D .0223 DEALER PLATES**

4

5 The Application for Dealer Plates Form VS-405 ~~Application~~ for dealer plates ~~must shall~~ be signed by owner, ~~partner~~  
6 ~~partner,~~ or officer of the corporation. Lost or stolen dealer plates ~~must shall~~ be reported to the local law enforcement  
7 agency and the Division of Motor Vehicles. ~~Vehicles in writing. Application~~ The application to replace such plates  
8 ~~must shall~~ be completed on the ~~appropriate~~ form, signed and submitted with the fee required by G.S. ~~20-85(5)-20-~~  
9 87(7) to the Division of Motor Vehicles.

10

11 *History Note: Authority G.S. 20-39; ~~20-68; 20-79(a); 20-85(5); 20-87(7);~~*

12 *Eff. June 1, 1988;*

13 *Amended Eff. January 1, 1994; October 1, ~~1991~~ 1991;*

14 *Readopted Eff. \_\_\_\_\_ 2021.*

15

1 19A NCAC 03D .0224 is proposed for amendment without substantive changes as follows:

2  
3 **19A NCAC 03D .0224 ILLEGAL USE OF DEALER PLATES**  
4

5 ~~(a) It is illegal to use dealer plates on vehicles operated for any other business that the dealer is engaged in. The sale~~  
6 ~~of vehicles not required to be registered, excluding the sale of farm tractors which are part of the inventory of the~~  
7 ~~dealer, is considered another business and delivery of such vehicles by motor transport is not permitted with dealer~~  
8 ~~plates. A dealer shall only use dealer plates in accordance with the requirements of G.S. 20-79(d).~~

9 (b) Parts trucks used in delivering parts to other sales outlets may use dealer plates only if the sale of parts is incident  
10 to the dealer business. ~~A parts business that is separate and apart from the dealership cannot use dealer plates.~~

11 ~~(e) It is illegal to use dealer plates on vehicles that are not owned by the dealer.~~

12 ~~(d)(c)~~ (c) It is illegal for persons other than dealers, corporate ~~officers~~ officers, immediate family members of an officer,  
13 sales representative, or employees of ~~a~~ an independent or franchised motor vehicle dealer who regularly work for the  
14 dealer at least 15 hours a week, to operate a dealership vehicle unless they are in possession of a 96-hour permit. The  
15 said permit ~~must~~ shall include license plate number, permittee's name, address, driver's license number, date and hour  
16 of issue and ~~must~~ shall be signed by a dealer or sales manager and a person receiving the vehicle. A duplicate copy of  
17 the permit ~~must~~ shall be retained by the dealer. The permit is void if erasures are made. For purposes of this Rule,  
18 immediate family member is defined as a parent; spouse; sibling; child by blood, adoption, or marriage; grandparent  
19 or grandchild.

20 ~~(e)(d)~~ ~~It is illegal to use dealer plates on wreckers used.~~ A wrecker shall not use dealer plates for general wrecker  
21 service or on wreckers which move vehicles on a rotation basis at the request of state or local law enforcement  
22 authorities. ~~It is permissible to~~ A wrecker may use a dealer plate on wreckers which tow vehicles for the dealer's  
23 customers only.

24 ~~(f)(e)~~ (e) The civil penalty imposed upon a dealer pursuant to G.S. 20-79(e)(2) is due in full upon assessment by the  
25 Division. The license of a dealer who willfully and intentionally fails to pay the civil penalty within 30 days after  
26 notice of the assessment is delivered to the dealer or an employee of the dealer shall be ~~cancelled~~ suspended by the  
27 Division until the penalty is paid in full.

28  
29 *History Note: Authority G.S. 20-39; 20-79; 20-302; 20-294(2);*

30 *Eff. June 1, 1988;*

31 *Amended Eff. December 1, 1993; October 1, 1991; October 1, 1989;*

32 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September*  
33 *22, 2018, 2018;*

34 *Readopted Eff. \_\_\_\_\_ 2021.*  
35

1 19A NCAC 03D .0225 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03D .0225 VEHICLES OFFERED FOR SALE OWNED BY DEALERSHIP**

4

5 (a) No vehicle shall be sold or offered for sale or trade by any motor vehicle dealer, manufacturer, factory branch,  
6 distributor, distributor ~~branch-branch,~~ or wholesaler until said motor vehicle dealer, manufacturer, factory branch,  
7 distributor, distributor ~~branch-branch,~~ or wholesaler has in his or her possession a certificate of title or manufacturers  
8 certificate of origin or the same is immediately available prior to conclusion of the sale or trade to complete transfer  
9 of ownership to the consumer-purchaser.

10 (b) This Rule does not apply when a manufacturer's certificate of origin or title are unavailable at the time of sale or  
11 trade and the dealer acts in accordance with G.S. 20-52.1(d), 20-72(b) or 20-72.1, whichever is applicable.

12

13 *History Note: Authority G.S. 20-39; G.S. 20-79;*

14 *Eff. June 1, 1988;*

15 *Amended Eff. October 1, ~~1991~~1991;*

16 *Readopted Eff. \_\_\_\_\_ 2021.*

17

1 19A NCAC 03D .0226 is proposed for amendment without substantive changes as follows:

2  
3 **19A NCAC 03D .0226 VEHICLES OFFERED FOR SALE ON CONSIGNMENT**  
4

5 (a) Any dealer offering a vehicle for sale that is on consignment from a manufacturer, distributor, factory branch,  
6 distributor branch, ~~wholesaler,~~ wholesaler, or individual shall have in his possession a consignment contract for each  
7 vehicle, executed by both parties.

8 (b) The consignment contract shall consist of the following:

9 (1) The effective dates of the contract.

10 (2) The ~~complete name,~~ first, middle and last name, address, and the telephone number, if available, of  
11 the owner.

12 (3) A ~~complete~~ description of the vehicle on consignment, including the make, model, body style, year,  
13 and vehicle identification number.

14 (4) The listing charges.

15 (5) The percentage of commission or the amount of the commission the dealer is to get if the vehicle is  
16 sold.

17 (6) The right of the dealer to receive the agreed upon commission, if vehicle is sold after the termination  
18 of the agreement and as a result of the dealer's effort, which shall not exceed 30 days.

19 (c) Any dealer offering a vehicle for sale on consignment ~~must~~ shall tell the prospective customer that the vehicle is  
20 on consignment unless the dealer is going to take ownership of the vehicle by completing a re-assignment on the title  
21 documents. Any dealer selling a vehicle on consignment from a wholesaler ~~must~~ shall take ownership of that vehicle  
22 prior to its retail sale.

23 (d) Dealer plates ~~cannot~~ shall not be used to demonstrate a vehicle on consignment. However, the consignor's  
24 (owner's) The consignee's plate may be used so long as the vehicle registration is active and if liability insurance is in  
25 effect.

26 (e) In addition to a consignment contract, the dealer shall ~~have in his possession~~ keep on file an equipment listing of  
27 the vehicle, consisting of, but not limited to, the following:

28 (1) Owners name and address.

29 (2) ~~Complete~~ A description of the vehicle which shall include the year, make, model, body style, color,  
30 odometer reading, ~~special or extra~~ additional equipment, and the disclosure of known defects.

31 (f) The ownership documents of any vehicle on consignment ~~must~~ shall be made available by the dealer to any  
32 ~~authorized agent of the~~ North Carolina Division of Motor Vehicles employee on request. ~~The ownership documents~~  
33 ~~must be readily available from the owner.~~

34 (g) The owner ~~must~~ shall execute the ownership documents and deliver them to the purchaser at the time the vehicle  
35 is delivered.

36 ~~(h) The vehicle must display a current safety inspection certificate.~~  
37



1 *History Note: Authority G.S. 20-302;*  
2 *Eff. June 1, 1988;*  
3 *Amended Eff. January 1, 1994; October 1, 1991;*  
4 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September*  
5 *22, ~~2018-2018~~;*  
6 *Readopted Eff. \_\_\_\_ 2021.*  
7

1 19A NCAC 03D .0227 is proposed for readoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0227 VEHICLES OFFERED FOR SALE ON A FLOOR PLAN LIEN**

4  
5 (a) ~~Any dealer offering for sale a vehicle on which a financial interest is held by another party (floor plan lien) shall~~  
6 ~~at the time of sale, satisfy the floor plan lien and obtain the title from the floor plan lienholder, execute the title~~  
7 ~~documents and deliver them to the purchaser or the lienholder as required by G.S. 20-52.1, G.S. 20-72 and G.S. 20-75~~  
8 ~~at the time the vehicle is delivered. A floor plan lien is a revolving line of credit in which a superior financial interest~~  
9 ~~in a vehicle is held by a party other than the dealer.~~

10 (b) A dealer offering a vehicle subject to a floor plan lien for sale shall at the time of sale, satisfy the floor plan lien  
11 and obtain the title from the floor plan lienholder, execute the title documents and deliver them to the purchaser or the  
12 lienholder as required by G.S. 20-52, 20-72, 20-72.1 and 20-75 at the time the vehicle is delivered.

13 ~~(b)(c)~~ Manufacturers Certificate of Origin and titles may be retained by the floor plan lienholder so long as the  
14 Manufacturers Certificate of Origin and titles are is located within the boundaries of North Carolina; provided the  
15 dealer has in possession, available for inspection, an invoice from the manufacturer or distributor and a floor plan  
16 disclosure form completed, dated and signed by both parties. ~~Mobile/manufactured~~ Mobile and manufactured home  
17 dealers shall be exempt from the requirement that the Manufacturer's Certificate of Origin ~~and title~~ be located within  
18 the boundaries of North Carolina. All other provisions of this Rule shall apply to ~~mobile/manufactured~~ mobile and  
19 manufactured home dealers.

20  
21 *History Note: Authority G.S. ~~20-302; 20-39;~~*  
22 *Eff. June 1, 1988;*  
23 *Amended Eff. June 1, 1995; January 1, 1994; October 1, ~~1991; 1991;~~*  
24 *Readopted Eff. \_\_\_\_ 2021.*  
25

1 19A NCAC 03D .0229 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03D .0229 CORP. SURETY BONDS: MOBILE MANUFACTURED HOME DEALERS**

4

5 ~~A motor vehicle dealer~~ A person, business or entity who is engaged in the ~~principal~~ primary business of selling mobile  
6 or manufactured home, as defined in G.S. 143-143.9, ~~home~~ (as defined in G.S. 143-143.9) and who also sells ~~other~~  
7 motor vehicles ~~as an incident in connection~~ to this principal business, shall either:

8 (1) furnish to the Division a corporate surety bond, cash bond, or fixed equivalent thereof pursuant to  
9 G.S. 20-288(e); or

10 (2) furnish to the Division a copy of the bond that the dealer has furnished to the North Carolina  
11 Manufactured Housing Board, pursuant to G.S. ~~143-143.12~~, 143-143.12, ~~which includes the~~  
12 ~~condition that the obligor will faithfully conform to and abide by the provisions of Article 12 of~~  
13 ~~North Carolina General Statutes Chapter 20.~~

14

15 *History Note: Authority G.S. ~~20-39, 20-288(e);~~ 20-288(e), 20-302;*

16 *Eff. June 1, 1988;*

17 *Amended Eff. January 1, ~~1994~~ 1994;*

18 *Readopted Eff. \_\_\_\_\_ 2021.*

19

20

1 19A NCAC 03D .0402 is proposed for readoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0402 UNCLAIMED MOTOR VEHICLE**

4  
5 (a) To report an unclaimed vehicle pursuant to G.S. 20-77(d), a business operator or landowner shall submit a  
6 Report of Unclaimed Motor Vehicle Form to the License and Theft Bureau.

7 (b) Report of Unclaimed Motor Vehicle Forms are available at [https://www.ncdot.gov/dmv/programs/fraud-](https://www.ncdot.gov/dmv/programs/fraud-theft/Pages/forms.aspx)  
8 [theft/Pages/forms.aspx](https://connect.ncdot.gov/business/DMV/Pages/default.aspx) and <https://connect.ncdot.gov/business/DMV/Pages/default.aspx>.

9 (c) A Report of Unclaimed Motor Vehicle Form shall contain the following information:

10 \_\_\_\_\_ (1) name, address, and phone number of business, operator or landowner;

11 \_\_\_\_\_ (2) make, body style and year of vehicle;

12 \_\_\_\_\_ (3) state, number and year of the plate on the vehicle;

13 \_\_\_\_\_ (4) date vehicle was left;

14 \_\_\_\_\_ (5) vehicle identification number;

15 \_\_\_\_\_ (6) approximate value of the vehicle;

16 \_\_\_\_\_ (7) location of where the vehicle is being stored;

17 \_\_\_\_\_ (8) reason for vehicle being left;

18 \_\_\_\_\_ (9) condition of vehicle; and

19 \_\_\_\_\_ (10) person or firm who authorized the tow of the vehicle.

20 ~~An unclaimed motor vehicle report is to be with the Enforcement Section Division of Motor Vehicles, Raleigh, North~~  
21 ~~by the owner of any business where vehicles are garaged, repaired, parked or stored for the public within 5 days after~~  
22 ~~the vehicle has been unclaimed for 30 days. When a vehicle has been abandoned on a landowner's property for more~~  
23 ~~than 60 days, he must notify this section within 5 days after the 60 day period. Notification shall be made on Form~~  
24 ~~LT-126 Report of Unclaimed Motor Vehicle to the Enforcement Section, Division of Motor Vehicles, Raleigh, North~~  
25 ~~Carolina.~~

26  
27 *History Note: Authority G.S. ~~20-1; 20-2; 20-39; 20-77(d);~~*

28 *Eff. July 1, 1978;*

29 *Amended Eff. October 1, 1991; February 1, ~~1982, 1982;~~*

30 *Readopted Eff. \_\_\_\_, 2021.*

1 19A NCAC 03D .0403 is proposed for reoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0403 SALE OF VEHICLE TO SATISFY GARAGE STORAGE OR MECHANIC LIEN**

4 (a) When a person or firm who ~~is in the business of repairing, servicing, towing, or storing~~ ~~repairs, services, tows or~~  
5 ~~stores~~ motor vehicles ~~in the regular course of his business~~ has a vehicle in his or her possession for ~~30-10~~ days  
6 following the date the storage or mechanic charges became due and the lien remains unpaid, he or she shall file with  
7 the ~~License and Theft Bureau Enforcement Section~~ an Unclaimed Motor Vehicle Report ~~Form found at~~  
8 [www.ncdot.gov/dmv](http://www.ncdot.gov/dmv) within five days of the expiration of that period. ~~(Form LT 126). A Report of Unclaimed Motor~~  
9 ~~Vehicle Form shall contain the following information:~~

- 10 (1) name, address, and phone number of business, operator or landowner;  
11 (2) make, body style and year of vehicle;  
12 (3) state, number and year of the plate on the vehicle;  
13 (4) date vehicle was left;  
14 (5) vehicle identification number;  
15 (6) approximate value of the vehicle;  
16 (7) location of where the vehicle is being stored;  
17 (8) reason for vehicle being left;  
18 (9) condition of vehicle; and  
19 (10) person or firm who authorized the tow of the vehicle.

20 (b) If the person or firm claiming the mechanic's or storage lien desires to sell the vehicle to satisfy such claim, he or  
21 she shall notify the ~~Enforcement Section~~ License and Theft Bureau of the intent to sell such vehicle by use of the  
22 Notice of Intent to Sell a Vehicle to Satisfy Storage and/or the Mechanic's Lien Form found at www.ncdot.gov/dmv.  
23 ~~Form LT 102.~~ This form must be completed ~~in its entirety~~ and mailed with a fee as set out in G.S. 44A-4 ~~of ten dollars~~  
24 ~~(\$10.00)~~ to the License and Theft Bureau ~~Enforcement Section of the Division of Motor Vehicles, Raleigh, North~~  
25 ~~Carolina.~~

26 (c) After all ~~interested parties of owners and lienholders on record~~ have been notified of the proposed sale and a  
27 request for judicial hearing is not received, the ~~Enforcement Section~~ License and Theft Bureau ~~will~~ shall notify the  
28 person or firm claiming the storage or mechanic's lien.

29 (d) The person or firm claiming the storage or mechanic's lien on a motor vehicle shall use ~~Form LT 103~~ the Notice  
30 of Sale found at www.ncdot.gov/dmv to notify the ~~Enforcement Section~~ License and Theft Bureau; ~~20 days in advance~~  
31 ~~of a public or private sale.~~

32 (1) A Notice of Sale Form shall contain the following information:

- 33 (A) make, year body style, license plate number, serial or VIN and state and year the vehicle  
34 was last registered;  
35 (B) location where the vehicle is stored;  
36 (C) description of the lien as provided by G.S. 44A-2;  
37 (D) date of storage;

1                    (E) name and address of person authorizing repairs, services, towing and storage; and

2                    (F) name, address and signature of lienor.

3

4    *History Note: Authority G.S. ~~20-1~~; 20-2; 20-39; 20-77(d); ~~20-77(d),(e)~~; 20-114(c); 44A-2; 44A-4;*

5                    *Eff. July 1, 1978;*

6                    *Amended Eff. October 1, 1991; February 1, ~~1982~~, 1982;*

7                    *Readopted Eff. \_\_\_\_, 2021.*

8

1 19A NCAC 03D .0404 is proposed for reoption without substantive changes as follows:

2

3 **19A NCAC 03D .0404 SALE OF MOTOR VEHICLE UNDER JUDICIAL PROCEEDINGS**

4

5 Any person selling a vehicle under judicial proceedings shall give notice to the License and Theft Bureau Enforcement  
6 Section by Form LT 101 or LT 103 at least 20 days in advance of a public or private sale. ~~use of the Notice of Sale~~  
7 ~~found at [www.ncdot.gov/dmv](http://www.ncdot.gov/dmv) to notify the License and Theft Bureau .~~ ~~A copy of the court order, judgement or~~  
8 ~~execution execution, which shall fully describe the vehicle being sold sold, must accompany the notice of sale.~~ ~~sale~~  
9 ~~(Form LT 101).~~

10 (1) A Notice of Sale Form shall contain the following information:

11 (A) make, year body style, license plate number, serial or VIN and state and year the vehicle  
12 was last registered;

13 (B) location where the vehicle is stored;

14 (C) description of the lien as provided by G.S. 44A-2;

15 (D) date of storage;

16 (E) name and address of person authorizing repairs, services, towing and storage; and

17 (F) name, address and signature of lienor.

18

19 *History Note: Authority G.S. ~~20-1~~; 20-2; 20-39; 20-114(c);*

20 *Eff. July 1, 1978;*

21 *Amended Eff. October 1, 1991; February 1, ~~1982~~, 1982;*

22 *Readopted Eff. \_\_\_\_, 2021.*

23

1 19A NCAC 03D .0405 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03D .0405 SALE OF ABANDONED VEHICLE**

4

5 ~~Any city or county~~ A city, county, or law enforcement agency selling an abandoned vehicle as a result of a city or  
6 county ordinance on file with the License and Theft Bureau Enforcement Section, Division of Motor Vehicles,  
7 ~~Raleigh, North Carolina, must~~ shall give notice to the Bureau this section at least 20 days notice prior to the such sale  
8 ~~and this notice shall be on Form LT 101—Notice of Sale of a Motor Vehicle, at www.ncdot.gov/dmv, to notify the~~  
9 ~~Enforcement Section 20 days in advance of a public or private sale.~~

10

11

12 *History Note: Authority G.S. ~~20-1; 20-2; 20-39; 160A-303; 153-9;~~*

13

*Eff. July 1, 1978;*

14

*Amended Eff. October 1, 1991; February 1, 1982; April 11, ~~1980-1980;~~*

15

*Readopted Eff. \_\_, 2021.*

16



1 19A NCAC 03D .0517 is proposed for reoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0517 DEFINITIONS**

4  
5 For purposes of this Section, these words and phrases shall have the following meanings, except in those instances  
6 where the context clearly indicates a different meaning:

- 7 (1) ~~Abbreviations:~~ Abbreviations used in these Rules shall have the following meanings:
- 8 (a) CO - Carbon ~~Monoxide,~~monoxide;
  - 9 (b) G.V.W.R. - Gross Vehicle Weight ~~Rating,~~Rating;
  - 10 (c) ~~HC—Hydrocarbons,~~HC-Hydrocarbons;
  - 11 (d) PSI - Pounds Per Square ~~Inch,~~Inch;
  - 12 (e) NOx - Nitrogen ~~Oxides,~~Oxides; and
  - 13 (f) PPM - Parts Per ~~Million,~~Million.
- 14 (2) Ambient ~~Light:Air:~~ That portion of the atmosphere surrounding human, ~~animal~~animal, and plant  
15 life.
- 16 (3) Authorized Station: An established place of business licensed by the North Carolina Division of  
17 Motor Vehicles License and Theft Bureau to conduct inspection of safety equipment, emissions,  
18 and air pollution control devices as required by ~~the inspection laws.~~G.S. 20-183.4A.
- 19 (4) Base: The place where a vehicle is ~~most frequently~~-dispatched from, garaged, serviced, maintained,  
20 ~~operated~~operated, or otherwise controlled. If any vehicle is located in or operated from a county  
21 participating in the safety emission program ~~continuously~~ for a period of 30 days, said vehicle shall  
22 be considered based within ~~said~~that county.
- 23 (5) Certified Inspection Mechanic: A person who has completed the ~~course(s)~~courses required by G.S.  
24 183.4(c) and 183.4A(c), ~~who has~~-passed a written examination approved by the ~~North Carolina~~  
25 ~~Division of Motor Vehicles,~~License and Theft Bureau, and ~~who has~~-been issued an inspection  
26 mechanic license by the ~~Division of Motor Vehicles.~~Bureau.
- 27 (6) Crankcase Emissions: Air ~~contaminants~~pollutants emitted into the atmosphere from any portion of  
28 the engine crankcase ventilation or lubrication system.
- 29 (7) Current Year Model: The production period of new motor vehicles as designated by the  
30 manufacturer in the calendar year in which the period ends. If the manufacturer does not designate  
31 a production period, the model year shall mean the 12-month period beginning January of the year  
32 in which production began.
- 33 (8) Diagnostic Equipment: Tools or machines used to diagnose engine performance.
- 34 (9) Emission: The act of a motor vehicle emitting into the atmosphere any air pollutants including  
35 ~~contaminants which may include~~ carbon monoxide, hydrocarbons, or nitrogen oxides.
- 36 (10) Emissions Analyzer: ~~An approved~~A device used to ~~fully~~-evaluate the vehicle emission control  
37 system for proper operation and electronically record and transmit emissions and safety inspection

1 data to the ~~State, state.~~—An approved device is considered a device that meets the certification  
2 requirements as defined by the ~~Department of Environmental Quality Management Commission~~  
3 Specifications for the North Carolina Analyzer System, ~~and in Rule .0518 of this Section.~~

- 4 (11) Established Place of Business for ~~Safety and Emissions~~Safety/Emissions Inspection: A permanent  
5 structure ~~owned either in fee or leased~~ operated by a licensee, ~~which has with sufficient~~ space  
6 defined by G.S. 120-83.4 to test and inspect ~~one or more~~ motor vehicles ~~for which an inspection is~~  
7 ~~being sought and to accommodate~~ accommodates the ~~office or offices~~ of an authorized station to  
8 provide a safe locked place for maintaining ~~the record~~ records of such ~~authorized station, and at~~  
9 ~~which location the~~ The business shall be open during ~~their normal~~ business hours to conduct safety  
10 inspections and emissions tests and make available to ~~authorized agents of the Division of Motor~~  
11 ~~Vehicles License and Theft Bureau~~ staff all records and required equipment for examination and  
12 testing.
- 13 (12) Exhaust Emissions: Air ~~contaminants~~ pollutants emitted into the atmosphere from any opening  
14 downstream from the exhaust parts of a motor vehicle engine.
- 15 (13) Heavy Duty Motor Vehicle: A motor vehicle which is designed primarily for:  
16 (a) ~~The the~~ transportation of property and which is rated at more than 8,500 ~~GVWR~~ GVWR;  
17 (b) ~~The the~~ transportation of persons and which has a capacity of more than 12  
18 ~~persons~~ persons;  
19 (c) Use as a recreational motor vehicle which is rated at more than 8,500 ~~GVWR~~ GVWR;  
20 or  
21 (d) Use as an off-road utility vehicle.
- 22 (14) Inspection: The safety equipment or emissions inspection of motor vehicles required by G.S. 20,  
23 ~~Part 2, Article 3A, Article 3A, Part 2.~~
- 24 (15) Inspection Laws: G.S. 20, ~~Part 2, Article 3A~~ 3A, Part 2 and rules adopted by the Commissioner of  
25 Motor Vehicles.
- 26 (16) Inspection/Maintenance (I/M): A strategy to reduce emissions from in-use motor vehicles by  
27 identifying vehicles that need emission related maintenance and requiring that such maintenance be  
28 performed.
- 29 (17) Inspection Period: The period of time a motor vehicle is required to be inspected. To be a current  
30 inspection, a motor vehicle may be inspected up to ninety days prior to the last day of the month in  
31 which the registration on the vehicle expires pursuant to G.S. 20-183.4C. ~~For motor~~ Motor vehicles  
32 not previously registered in this ~~State~~ State, the inspection period shall be exempt for a period of 12  
33 months. ~~months prior to the application for registration pursuant to G.S. 20, Part 3, Article 3 and~~  
34 ~~G.S. 20-183.4C.~~
- 35 (18) License: Notwithstanding G.S. 20-4.01(17), the license issued by the Commissioner of Motor  
36 Vehicles which is required for a person to operate a safety equipment emission inspection station.
- 37 (19) Light Duty Motor Vehicle: A motor vehicle which is designed primarily for:

- 1 (a) ~~transportation~~ Transportation of property and which is rated at or less than 8,500 GVWR  
2 by the manufacturer; or
- 3 (b) ~~use~~ Use in the transportation of persons and which has a capacity of 12 persons or fewer.
- 4 (20) Light Transmittance Measuring Device or Light Meter or Unit or Device: A photometer capable of  
5 measuring the net transmittance of a window or windshield for light at 560 nm with a variance of  
6 no more than 20 nm.
- 7 (21) Motorcycle: A motor vehicle as defined under G.S. 20-4.01(22).
- 8 (22) Multipiece Photometer: A photometer in which the light source and light detector are mechanically  
9 separate units that can be positioned on opposite sides of a fixed window or windshield.
- 10 (23) Net Transmittance: The luminous transmittance over the 560 nm with a variance of 20 nm  
11 wavelength range, including the effects of Fresnel (surface) reflections.
- 12 (24) Recreational Motor Vehicle: A vehicle which is designed primarily to provide temporary or  
13 permanent living quarters for travel, camping, or other recreational use.
- 14 (25) Registered Owner of a Vehicle: The individual, group of individuals, partnership, firm, company,  
15 corporation, association, trust, estate, political subdivision, administrative agency, public or quasi-  
16 public corporation, or any other legal entity in whose name the license has been issued and whose  
17 name appears on the registration for such vehicle.
- 18 (26) Revocation: Notwithstanding G.S. 20-4.01(36), the termination of a license issued by the ~~Division~~  
19 ~~of Motor Vehicles~~ License and Theft Bureau to a safety equipment emission inspection station.
- 20 (27) Safety Inspection Analyzer: ~~An approved~~ A device used to evaluate and electronically record and  
21 transmit safety inspection data to the ~~State.~~ state. ~~An approved device is considered a device that~~  
22 ~~meets the certification requirements as defined by the~~ License and Theft Bureau or the Department  
23 of Environmental Quality Management Commission Specifications for the North Carolina Analyzer  
24 System.
- 25 (28) Section: The License and Theft Bureau of the Division of Motor Vehicles.
- 26 (29) Self-Inspector: A person, firm or corporation ~~so designated by the Commissioner~~ licensed by the  
27 License and Theft Bureau for the purpose of inspecting only those vehicles owned or operated by  
28 such person, firm or corporation.
- 29 (30) Standard: A standard of performance adopted in these Rules.
- 30 (31) Station: A place of business licensed by the Commissioner of Motor Vehicles to conduct inspections  
31 of motor vehicles as required by the inspection laws.
- 32 (32) Suspension of Safety/Emission License: The temporary withdrawal of a license issued by the  
33 Division of Motor Vehicles to a safety equipment emission inspection station for a definite period  
34 of time.
- 35 (33) Tampering: Rendering inoperative, or the intentional maladjustment of any device installed on a  
36 motor vehicle designed or intended to control the amount of emissions from a vehicle.

1           (34)    Waiver: A document issued by the Commissioner of Motor Vehicles or his designated agent  
2                    exempting a particular motor vehicle from the requirements of the emission inspection.

3

4    *History Note:    Authority G.S. 20-2; 20-39; ~~20-127~~; 20-183.2; ~~20-183.6(a)~~; ~~20-183.7(a)~~;*  
5                    *Temporary Adoption Eff. November 1, 1995 for a period of 180 days or until the permanent rule*  
6                    *becomes effective, whichever is sooner;*  
7                    *Eff. October 1, 1994;*  
8                    *Amended Eff. July 1, 2010; February 1, ~~1996~~1996;*  
9                    *Readopted Eff. \_\_\_\_\_, 2021.*

10

1 19A NCAC 03D .0518 is proposed for reoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0518 LICENSING OF SAFETY OR EMISSIONS INSPECTION STATIONS**

4  
5 (a) An application for licensing as a Safety Equipment or Safety Equipment Emissions Inspection Station shall be  
6 made on forms furnished by the Division of Motor Vehicles and filed with the License and Theft Bureau, available at  
7 <https://connect.ncdot.gov/business/DMV/Pages/Inspection-Stations.aspx>.

8 (b) An applicant for licensing for a Safety Equipment or Safety Equipment Emissions Inspection Station shall have:

9 (1) ~~A specified an~~ area used primarily for repair of motor ~~vehicles.~~vehicles;

10 (2) ~~At least a minimum of 45~~ lineal feet of ~~approximately~~-level floor surface at least 10 feet wide when  
11 using a light chart for testing lights, or ~~at least a minimum of 25~~ lineal feet of ~~approximately~~-level  
12 floor surface ~~at least a minimum of 10~~ feet wide when using a light testing machine. ~~Dirt floors are~~  
13 ~~not acceptable.~~An inspection station shall not have dirt floors;

14 (3) ~~Sufficient an~~ area enclosed to permit an inspection at all times regardless of weather conditions.  
15 Trailers may be inspected outside of the enclosed area as long as attached to ~~the prime mover.~~mover;

16 (4) ~~If if~~ a light chart is used to check lights, there shall be parallel lines at least ~~3~~three feet long painted  
17 on the floor surface 25 feet from the ~~chart.~~chart; and

18 (5) Licensed Inspection Stations are not required to conduct inspections on equipment as required in  
19 03D .0519 of this Section.

20 (c) An applicant for licensing for a Safety Equipment Inspection Station inspecting only motorcycles shall have:

21 (1) ~~A specified an~~ area used primarily for repair of ~~motorcycles.~~motorcycles;

22 (2) ~~Sufficient an~~ area enclosed to permit an inspection at all times regardless of weather conditions. An  
23 inspection station shall not have dirt floors; and ~~Dirt floors are not acceptable.~~

24 (3) If a light chart is used to check lights, there shall be parallel lines at least 3 feet long painted on the  
25 floor surface 25 feet from the chart.

26  
27 *History Note: Authority G.S. 20-2; 20-39; 20-183.4;*

28 *Eff. October 1, 1994;*

29 *Amended Eff. July 1, 2010-2010;*

30 *Readopted Eff. \_\_\_\_\_, 2021.*

1 19A NCAC 03D .0519 is proposed for reoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0519 STATIONS**  
4

5 (a) Licensed stations shall keep the area where vehicles are inspected and the area where inspection records are ~~kept~~  
6 kept, as required by G.S. ~~20-183.6A(b)~~20-183.6A(b), free of spills, debris, ~~hazardous materials~~ that may present a  
7 hazard to the inspector mechanic or the vehicle, obstructions that inhibit ~~proper~~ inspection of vehicles or present a  
8 safety ~~hazard concerns~~ for ~~auditors or~~ inspectors of the License and Theft Bureau. ~~Division~~. All vehicles shall remain  
9 in the inspection area during the entire inspection.

10 (b) Stations with only a ~~25-foot~~25-foot lineal inspection lane shall not inspect trucks or other vehicles exceeding that  
11 length.

12 (c) Stations with mechanical aimers shall not inspect vehicles with headlamps that were not manufactured to be aimed  
13 with this device. These headlamps ~~were manufactured to~~ shall be aimed with photoelectric eyes, wall charts,  
14 computerized headlight test equipment, or on-board headlight aiming devices.

15 (d) Stations not equipped with an emission analyzer shall not inspect ~~vehicles which are~~ 1996 or newer gasoline  
16 powered motor vehicles registered or based in counties designated as non-attainment for air quality standards by either  
17 the North Carolina Department of ~~Environment & Natural Resources~~ Environmental Quality or U.S. Environmental  
18 Protection Agency. However, they are permitted to perform the original safety equipment inspections on vehicles  
19 1995 model year or older, diesel powered vehicles, motorcycles, trailers, and ~~new vehicles~~vehicles not previously  
20 titled.

21 (e) Each station shall have equipment and tools for carrying out inspections, which include ~~but are not limited to~~ the  
22 following:

- 23 (1) ~~one~~ jack or lift with minimum capacity of ~~2 tons~~two tons;
- 24 (2) ~~one~~ headlight tester, wall chart, or aiming kit adapters to fit all ~~headlights~~headlights;
- 25 (3) ~~one~~ ~~workbench~~workbench;
- 26 (4) ~~one~~ ~~creeper~~creeper;
- 27 (5) ~~one~~ tire tread depth gauge (~~calibrated in 32nds of an inch~~);(calibrated in 32nds of an inch);
- 28 (6) Emission Control System Application Manual (~~current edition~~);in written or electronic format;
- 29 (7) ~~one~~ Department of Environmental Quality ~~Emission Analyzer~~ Analyzer, with approved Division  
30 of Motor Vehicles software or an electronic device with the ability to connect to the Internet and  
31 access the web-based inspection system; and
- 32 (8) ~~Active~~ one active telephone line with jack or Internet access for Web Based stations.

33 (f) Each station inspecting only motorcycles shall have equipment and tools for carrying out inspections, which  
34 include ~~but are not limited to~~ the following:

- 35 (1) ~~one~~ motorcycle jack or lift; ~~lift with minimum capacity of 2 tons~~,
- 36 (2) ~~one~~ headlight tester or aiming kit adapters to fit all ~~headlights~~headlights;
- 37 (3) ~~workbench~~one workbench;

- 1 (4) ~~1-one~~ tire tread depth gauge (~~calibrated in 32nds of an inch~~);(calibrated in 32nds of an inch);
- 2 (5) ~~1-one~~ Safety Inspection Analyzer with approved ~~software~~;software by the North Carolina
- 3 Department of Environmental Quality at [https://deq.nc.gov/about/divisions/air-quality/motor-](https://deq.nc.gov/about/divisions/air-quality/motor-vehicles-air-quality/inspection-maintenance-program/station-owner-inspector-information/software-versions)
- 4 vehicles-air-quality/inspection-maintenance-program/station-owner-inspector-
- 5 information/software-versions.
- 6 (6) ~~Active~~ an active telephone line with ~~jack~~;jack or Internet access for Web Based stations.

7

8 *History Note: Authority G.S. 20-2; 20-39; 20-183.4;*

9 *Eff. October 1, 1994;*

10 *Amended Eff. July 1, ~~2010~~-2010;*

11 *Readopted Eff. \_\_\_\_\_, 2021.*

12

1 19A NCAC 03D .0520 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03D .0520 ~~SAFETY INSPECTION~~MECHANIC REQUIREMENTS**

4

5 (a) An applicant for a safety and emissions license and the owner of the inspection station licensee shall sign their  
6 name demonstrating ~~certify that each mechanic they meet~~ meets the requirements as set out in G.S. 20-183.4(c).

7 (b) ~~At reasonable times, During business hours,~~ a certified inspection mechanic may be required by authorized law  
8 enforcement officers of the ~~Division License and Theft Bureau~~ to demonstrate ~~proficiency~~ their knowledge, skills and  
9 abilities of the equipment used to perform an inspection, vehicle components, procedures, statutes and rules  
10 programs ~~knowledge~~ pertaining to the Safety Equipment or Safety Equipment Exhaust-Emission programs by  
11 performing inspection requirements which include completion of an actual or simulated Safety Equipment or Safety  
12 Equipment Exhaust and Emission Inspection. ~~Inspection in the presence of any such authorized officer.~~

13

14 *History Note: Authority G.S. 20-2; 20-39; 20-183.4; 20-183.6A;*

15 *Eff. October 1, ~~1994~~1994;*

16 *Readopted Eff. \_\_\_\_\_, 2021.*

17



1 19A NCAC 03D .0521 is proposed for readoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0521 LICENSING REQUIREMENTS**  
4

5 ~~(a) No application for appointment as a safety equipment or safety equipment exhaust emissions inspection station or~~  
6 ~~self inspector shall be approved unless the requirements are met as set out in this Section.~~

7 ~~(b)(a) To become a North Carolina Safety Inspector, an individual must shall: attend and pass an eight hour Safety~~  
8 ~~Inspection Course offered by a North Carolina Community College. An individual must pass a written examination~~  
9 ~~with a score of no less than 80% correct answers. An additional eight hour Emissions Inspection course is required~~  
10 ~~if the individual desires to be licensed as an Emissions Inspector. This certification process requires that a person~~  
11 ~~have the ability to read and write. No oral exams shall be given as allowed in CFR 51 Part 40.~~

12 (1) attend and pass an eight-hour Safety Inspection Course offered by a North Carolina Community  
13 College; and

14 (2) pass a written examination with a score of no less than 80 percent correct answers.

15 (b) No oral exams shall be allowed.

16 ~~(c) Based upon the An application for an inspection station or inspection mechanic license and the results of~~  
17 ~~investigations made, each applicant shall be approved or disapproved in accordance with G.S. 93-B-8.1, for licensing.~~  
18 ~~Each applicant approved shall be notified by mail and furnished without charge with the appropriate station license or~~  
19 ~~inspection mechanic license. Inspection station licenses shall be valid only for the place of business set forth in the~~  
20 ~~application. Each inspection station shall notify the Division License and Theft Bureau of the name and inspection~~  
21 ~~license number of each inspection mechanic the station employs prior to allowing the inspection mechanic to perform~~  
22 ~~any inspections at that station. The notice shall be on a form supplied by the Division License and Theft Bureau and~~  
23 ~~shall be signed endorsed by the station owner and the inspection mechanic. The notice shall be submitted to the~~  
24 ~~Division by personal delivery to the local Division inspector or by registered or certified mail addressed to the~~  
25 ~~Division's district office for the district in which the station is located. If any licensed inspection mechanic leaves the~~  
26 ~~employment of a safety equipment station, station the inspection station shall notify the local Division License and~~  
27 ~~Theft Bureau inspector of that fact in writing within three days after the inspection mechanic's employment is~~  
28 ~~terminated. An inspection mechanic license shall be valid only for the person in whose name it is issued. Upon~~  
29 ~~request, the inspection mechanic shall present his license to any Division inspector who is conducting an audit of the~~  
30 ~~mechanic or the station at which the mechanic is employed.~~

31 ~~(d) Pursuant to G.S. 143-215.107A, no ~~No~~ Safety Inspection Station shall inspect any gasoline powered vehicle,~~  
32 ~~vehicle of a 1975 model year or newer excluding the initial year model the three most recent model years with less~~  
33 ~~than 70,000 miles, if the vehicle is registered or based in a county participating in the ~~exhaust~~ emission inspection~~  
34 ~~program unless the station has an exhaust emission analyzer to conduct ~~exhaust~~ emissions inspections. Owners of~~  
35 ~~vehicles registered in a county participating in the ~~exhaust~~ emission program but based and operated outside the county~~  
36 ~~may submit a request in writing on forms furnished by to the division License and Theft Bureau an exemption from~~  
37 ~~the ~~exhaust~~ emission inspection. The forms requesting request for an exemption shall contain confirmation a~~

1 ~~certification to the effect that~~ the vehicle for which the exemption is requested is registered in an emission inspection  
2 ~~county~~ county, but is permanently based and operated exclusively outside of the county in which it is registered. The  
3 ~~Division License and Theft Bureau~~ shall approve and issue a written exemption for the vehicle upon receipt of  
4 ~~supporting documentation~~ by the vehicle owner used to show the owner or operator's claim the vehicle is permanently  
5 ~~and exclusively based outside the registered county.~~ an exemption request form that is signed by the vehicle owner.  
6 A new exemption shall be requested and approved in accordance with this Rule for each inspection period. Safety  
7 Inspections stations may conduct the safety equipment inspection in lieu of a safety and emission inspection ~~the regular~~  
8 ~~manner~~. Vehicles exempted from ~~exhaust~~ emission inspection because they are based outside of the county  
9 participating in the ~~exhaust~~ emission program ~~shall~~ must have a copy of the approved exemption form in the vehicle  
10 at all times.

11  
12 *History Note: Authority G.S. 20-2; 20-39; ~~20-183.3~~; 20-183.4; 20-183.4A;*  
13 *Eff. October 1, ~~1994~~.1994;*  
14 *Readopted Eff. \_\_\_\_\_, 2021.*  
15

1 19A NCAC 03D .0522 is proposed for readoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0522 DENIAL, SUSPENSION OR REVOCATION OF LICENSES**  
4

5 (a) Denial of License: The Commissioner of Motor Vehicles shall deny the application of any applicant for a ~~safety~~  
6 ~~inspection license or an emissions inspection license~~ Safety Equipment or Safety Equipment Emissions Inspection  
7 Station License who fails to meet the qualifications set out in G.S. 20, Article 3A, Part 2 or the ~~rules~~ Rules in this  
8 Section. Applicants disapproved for licensing shall be notified ~~notified by mail~~. An applicant who submits  
9 fraudulent or fictitious information with the application shall be denied a license. Persons who are denied a license  
10 shall be allowed a hearing in accordance with G.S. 20-183.8G. For applications denied pursuant to G.S. 93B-8.1,  
11 technicians and Stations who have been denied a license shall not re-apply for 12 calendar months from initial  
12 denial.

13 (b) Suspension or Revocation of License:

14 (1) The license of any inspection station shall be subject to suspension or revocation when it or any of  
15 its personnel conducting inspections violates violating the rules in this Section or G.S. 20, Article 3A, Part

16 2. 2 shall be subject to suspension or revocation. ~~The license of any inspection station shall be~~  
17 ~~subject to suspension or revocation at any time when any of its personnel conducting inspections~~  
18 ~~do not meet the rules in this Section.~~ Any person, firm, or corporation whose license is suspended  
19 or revoked shall not inspect vehicles while its license is suspended or revoked. Every licensee  
20 whose license is suspended or revoked or who is assessed a civil penalty or who receives a  
21 warning letter from the ~~Division~~ License and Theft Bureau shall be allowed a hearing in  
22 accordance with G.S. 20-183.8G.

23 (2) Prior to the reinstatement of ~~an inspection station~~ a license of any Safety Equipment or Safety  
24 Equipment Emissions Inspection Station License, which has, by order of the Commissioner of  
25 Motor Vehicles, that has been revoked or suspended, the reinstatement applicant shall demonstrate  
26 to the Commissioner or ~~his or her duly authorized agent~~ License and Theft Bureau staff that its  
27 employees have knowledge of the safety equipment or safety equipment ~~exhaust~~ emission  
28 inspection procedures and requirements described in the rules ~~Rules~~ in this Section and that the  
29 location is mechanically equipped to carry out inspections.

30 (3) Prior to the reinstatement of any ~~inspection mechanic license~~ Inspection Mechanic License, that  
31 which has has, by order of the Commissioner of Motor Vehicles, been revoked or suspended, the  
32 reinstatement applicant shall ~~complete~~ attend a training ~~course(s)~~ session in Safety Equipment or  
33 Safety Equipment Emission Inspection. Proof of course attendance and passing a written test shall  
34 be presented to a License and Theft representative, that complies with G.S. 20-  
35 183.4(e)(1) and G.S. 20-183.4A(e)(2a). The applicant shall present proof of both course  
36 attendance and of passing a written test to the License & Theft Bureau Inspections Unit.

37 (4) ~~Motorists~~ Motor vehicle owners assessed civil penalties or fines shall be allowed a hearing in

1 accordance with G.S. 20-183.8G. ~~Motorists~~ Motor vehicle owners requesting a hearing shall mail  
2 a written hearing request to the Commissioner of Motor Vehicles, 3101 Mail Service Center,  
3 Raleigh, NC 27699-3101.

4  
5 *History Note: Authority G.S. 20-2; 20-39; 20-183.8D; ~~20-183.8A; 20-183.8G; 93B-8.1;~~*  
6 *Eff. October 1, 1994;*  
7 *Amended Eff. November 1, ~~2016; 2016;~~*  
8 *Readopted Eff. \_\_\_\_\_, 2021.*

1 19A NCAC 03D .0523 is proposed for readoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0523 OPERATION OF SAFETY OR EXHAUST-EMISSIONS INSPECTIONS STATIONS**

4  
5 (a) The following information concerns posting requirements for Safety or Emissions Inspections Stations:~~Posting~~  
6 ~~information:~~

7 (1) Each station shall display in a conspicuous place the following:

8 (A) Official Safety Equipment or Safety Equipment ~~Exhaust~~-Emissions Inspection Procedure  
9 Poster;

10 (B) Safety Equipment or Safety Equipment ~~Exhaust~~-Emissions Inspection Station License;

11 (C) ~~All inspection mechanic~~-Mechanic licenses report issued by the North Carolina Division  
12 of Motor Vehicles; and

13 (D) On the outside of its building or immediately adjacent ~~thereto~~-thereto, a sign in block  
14 letters at least four inches in height bearing the words: OFFICIAL INSPECTION  
15 STATION.

16 (2) Station licenses shall be posted under a protective material in a frame under glass.

17 (b) Periodic Requirements for Licensed Inspection Mechanic. ~~At reasonable times, licensed~~-Licensed inspection  
18 mechanics may be periodically required by authorized law enforcement officers of the Division to demonstrate  
19 knowledge pertaining to the Safety Equipment or Safety Equipment ~~Exhaust~~-Emissions inspections in the presence  
20 of any such authorized officer.

21 (c) Location. Inspections shall be conducted only at the location shown on the inspection station's license and only  
22 in the designated inspection area. Trailers may be inspected outside of inspection area as long as they are attached to  
23 the engine unit.

24 (d) Vehicle presented to be inspected. Each station shall inspect any vehicle presented for inspection according to  
25 the year model, and type of engine except as provided in this section or when exempted from the emissions  
26 inspection by a waiver issued by the Commissioner of Motor Vehicles ~~or his designated agent~~-Office. Stations  
27 without the proper equipment to inspect a motorcycle or a heavy duty vehicle is not required to conduct the  
28 inspection.

29 (e) Repairs. Inspection stations shall not in any manner attempt to require owners or operators of disapproved  
30 vehicles to have the vehicles repaired at the inspection station. The repairs necessary for approval may be made at  
31 any place chosen by the owner or operator of the vehicle. Permission must be obtained before making any repairs or  
32 adjustments. Requiring unnecessary repairs is prohibited.

33 (f) Hours of operation. Each licensed public station must be open for at least eight ~~normal~~-business hours, five days  
34 per week. Hours of operation must be posted in a conspicuous place outside of the business. Closures on official  
35 Official-State holidays are ~~excepted~~-accepted. A licensed inspection mechanic shall be on duty to conduct  
36 inspections during the hours specified.

- 1 *History Note:* *Authority G.S. 20-2; 20-39; 20-183.4; 20-183.5;*
- 2 *Eff. October 1, ~~1994~~1994;*
- 3 *Readopted Eff. \_\_\_\_\_, 2021.*

1 19A NCAC 03D .0525 is proposed for readoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0525 PRE-INSPECTION REQUIREMENTS**  
4

5 Prior to performing an inspection, the inspection mechanic shall:

- 6 (1) Have all occupants leave the ~~vehicle.~~vehicle;
- 7 (2) ~~Request that~~Require the operator ~~to produce the current registration card to~~for the ~~vehicle.~~vehicle;
- 8 (3) ~~Print or write legibly, use a ball point pen, and indicate list~~List the license plate number, serial  
9 number, mileage, number of cylinders, make, year and all data fields prompted by the system  
10 ~~other required information~~ for the vehicle on the approved analyzer or computer program.Receipt  
11 ~~and Statement (Form No. SI-15) if the inspection is performed by the safety equipment inspection~~  
12 ~~mechanic.~~ If the vehicle does not have a license plate, ~~"none"~~none shall be indicated. If inspected  
13 for a dealership, the dealer ~~sticker~~ number shall be ~~indicated.~~indicated, followed by a D; and
- 14 (4) Enter all information ~~if the inspection is performed by the safety equipment exhaust emission~~  
15 ~~inspection mechanic~~ as prompted requested by the analyzer. All vehicle identification numbers  
16 entered into the ~~NCAS-90~~ analyzer shall be entered through a one-dimensional ID ~~"one-~~  
17 ~~dimensional"~~ (ID)-bar-code scanner capable of reading vehicle identification numbers and  
18 information printed on vehicle registration cards. ~~A station's failure to maintain an operating bar-~~  
19 ~~code scanner shall result in DMV suspending a station's inspection operations until the station has~~  
20 ~~a properly functioning bar code scanner.~~ In the event the vehicle identification number is not  
21 readable by the bar-code scanner or is not printed on the registration card, the station shall enter  
22 the information by scanning the public vehicle identification number through the vehicle  
23 windshield or off of the driver side door or door post. If the vehicle identification number cannot  
24 be scanned through any of the methods listed in this ~~rule.~~Rule, or if the station is not equipped  
25 with a bar code scanner, it may be manually entered by entering the vehicle identification number  
26 correctly twice through manual keyboard entry. Stations must achieve a match rate to the  
27 registration data base of 95 percent ~~95%~~ or greater. Failure to maintain a 95 percent ~~95%~~ match  
28 rate for more than three months of a calendar year shall result in a Type II penalty.  
29

30 *History Note: Authority G.S. 20-2; 20-39; 20-183.2; 20-183.6A;*  
31 *Eff. October 1, 1994;*  
32 *Codifier determined that agency did not meet criteria for temporary rule Eff. September 24, 1997;*  
33 *Temporary Amendment Eff. November 1, 1997;*  
34 *Amended Eff. August 1, 1998-1998;*  
35 *Readopted Eff. \_\_\_\_\_, 2021.*

1 19A NCAC 03D .0526 is proposed for amendment without substantive changes as follows:

2

3 **19A NCAC 03D .0526 SAFETY EQUIPMENT GRADING ITEMS**

4 The authorized safety equipment inspection mechanic shall approve or disapprove each inspected item. The following  
5 requirements shall apply:

6 (1) If the item inspected is approved, a P shall be placed in the appropriate block as indicated ~~on~~  
7 ~~the SI-15 form by the inspection analyzer.~~

8 (2) If the item inspected is not approved, an ~~“X”~~ F shall be placed in the appropriate block as indicated ~~on~~  
9 ~~the SI-15 form by the inspection analyzer.~~

10 (3) If the disapproved item is corrected during inspection, C shall be placed in the appropriate block as  
11 ~~indicated by the inspection analyzer.~~ the appropriate block in “corrected during inspection” shall be  
12 ~~checked as indicated on the SI-15 form.~~

13

14 *History Note: Authority G.S. 20-2; 20-39; 20-183.2; 20-183.4D; 20-183.6A;*

15 *Eff. Oct. 1, 1994;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22,*  
17 *~~2018-2018;~~*

18 *Readopted Eff. \_\_\_\_\_, 2021.*

19



1 19A NCAC 03D .0527 is proposed for reoption without substantive changes as follows:

2

3 **19A NCAC 03D .0527 EXHAUST-EMISSION CONTROLS TAMPERING CHECK**

4

5 The authorized safety equipment ~~exhaust~~ emission inspection mechanic must approve or disapprove each inspected  
6 item. The following requirements ~~as listed on the SI-15, which is the receipt and statement form,~~ shall apply:

7 (1) Not applicable - ~~This block shall be checked~~ indicated if the vehicle inspected was not originally  
8 equipped with the emission control devices as listed.

9 (2) ~~Passed Connected~~ - ~~This block shall be checked~~ indicated if the vehicle is equipped with the item  
10 and it is connected and in an operable condition.

11 (3) ~~Failed Disconnected~~ - ~~This block shall be checked~~ indicated if the required emission equipment  
12 has been disconnected, ~~removed~~ removed, or made inoperable.

13 (4) Corrected - ~~This block shall be checked~~ indicated if the emission equipment which was  
14 disconnected or inoperable is repaired or replaced.

15

16 *History Note: Authority G.S. 20-2; 20-39; 20-183.4D; ~~20-183.5;~~*

17 *Eff. October 1, ~~1994~~ 1994;*

18 *Readopted Eff. \_\_\_\_\_ 2021.*

19

20

1 19A NCAC 03D .0528 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03D .0528 SAFETY EQUIPMENT ~~EXHAUST~~-EMISSION INSPECTIONS**

4

5 The Safety-equipment ~~exhaust~~-emission inspection mechanic shall enter the following information into the analyzer:

- 6 (1) For those items which are inspected and approved, the letter "P" for passed shall be entered.
- 7 (2) For those items which are inspected and disapproved, the letter "F" for failed shall be entered.
- 8 (3) For those items which were disapproved and corrected, the letter "C" for corrected shall be
- 9 entered.
- 10 (4) For those items which do not apply to the vehicle inspected, the letter "N" for not applicable shall
- 11 be entered.

12

13 *History Note: Authority G.S. 20-2; 20-39; 20-183.2; 20-183.4D; 20-183.6A;*

14 *Eff. October 1, ~~1994~~.1994;*

15 *Readopted Eff. \_\_\_\_\_, 2021.*

1 19A NCAC 03D .0529 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03D .0529 CERTIFICATION**

4

5 When the vehicle has been approved, the ~~inspection mechanic shall~~ following shall occur:

6 (1) ~~Prepare the appropriate sticker (safety equipment or safety equipment/exhaust emission) for~~  
7 ~~affixing to the vehicle.~~

8 (2) ~~Remove the old inspection sticker from the windshield.~~

9 (3) ~~Follow the instructions on the "Inspection Sticker."~~

10 (4) ~~Place the "Inspection Sticker" on the inside of windshield at the bottom of the left side so that the~~  
11 ~~edge of the sticker is no more than one inch from the left side of the windshield. Platforms are~~  
12 ~~required for glass plastic windshields.~~

13 (5) ~~For vehicles without windshields, issue motorcycle/trailer stickers or non windshield~~  
14 ~~safety/emission stickers. The sticker shall be placed on the left side of vehicle as near the front as~~  
15 ~~possible.~~

16 (6)(1) ~~List the total inspection repair charges made, if any, on the "Receipt and Statement" form along~~  
17 ~~with the serial number of the inspection sticker which was attached to the inspected vehicle. A~~  
18 ~~Safety Equipment On Board Diagnostic (OBD)Exhaust-Emission ~~inspection mechanic-Inspection~~~~  
19 ~~Mechanic must enter all required information into the analyzer.~~

20 (7)(2) ~~Collect fees as described in G.S. 20-183.7.~~

21 (8)(3) ~~Sign and give the original of the "Receipt and Statement"~~ Receipt and Statement form to the  
22 operator or owner.

23

24 *History Note: Authority G.S. 20-2; 20-39; 20-183.4D; 20-183.7;*

25 *Eff. October 1, 1994.*

26 *Readopted Eff. \_\_\_\_\_, 2021.*

1 19A NCAC 03D .0530 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03D .0530 DISAPPROVAL**

4

5 If a vehicle inspected is disapproved, the inspection mechanic at the end of the total inspection shall advise the  
6 owner or operator of the defect or defects found during the inspection. Repairs may only be made at the request of  
7 the owner/operator. Upon completion of authorized repairs, the inspection mechanic shall follow the certification  
8 process. If the owner or operator requests the repairs to be made at some other location, then the inspection  
9 mechanic conducting the inspection shall:

10 (1) Provide Complete the customer with the Vehicle Inspection report signed by the inspection  
11 mechanic "Receipt and Statement" showing the vehicle was "disapproved" Failed and signed by  
12 the inspection mechanic.

13 (2) Collect fees as prescribed in G.S. 20-183.7.

14 (3) After giving the owner or operator the original copy of the Vehicle Inspection receipt/Statement  
15 "Receipt and Statement" explain to the owner/operator he has 30 days to bring the vehicle back to  
16 the inspection station for reinspection at no charge when the vehicle was disapproved for either  
17 safety or emissions defects.

18

19 *History Note: Authority G.S. 20-2; 20-39; 20-183.4D; 20-183.5;*  
20 *Eff. October 1, ~~1994~~1994;*  
21 *Readopted Eff. \_\_\_\_\_, 2021.*

1 19A NCAC 03D .0531 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03D .0531 REINSPECTION**

4

5 (a) Payment of the inspection fee at the time of the original inspection by the owner or operator of a failed  
6 "disapproved" vehicle entitles the vehicle to reinspection, free of charge, by the initial inspection station.

7 (b) If the vehicle is approved following reinspection, the inspection mechanic shall check the appropriate block on  
8 the analyzer in the "Reinspected and Approved" column on the SI-15 (Receipt and Statement form), and indicate the  
9 date of reinspection. The inspection mechanic shall ~~issue the correct "Inspection Sticker" and collect the sticker~~  
10 authorization fee as prescribed in G.S. 20-183.7.

11

12 *History Note: Authority G.S. 20-2; 20-39; 20-183.3(c); 20-183.7;*

13 *Eff. October 1, ~~1994~~ 1994;*

14 *Readopted Eff. \_\_\_\_\_, 2021.*

1 19A NCAC 03D .0532 is proposed for readoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0532 BRAKES**  
4

5 No vehicle brakes shall be approved for an inspection ~~sticker~~ unless the items indicated in this Rule are inspected  
6 and found to meet the minimum requirements established in G.S. 20-124 and this Rule.

7 (1) Footbrakes shall not be approved if:

- 8 (a) ~~When when~~ applying brakes to the moving vehicle, the braking force is not distributed  
9 evenly to all wheels originally equipped with brakes by the manufacturer.  
10 ~~manufacturer~~; (The inspection mechanic must drive the vehicle to make this test. The  
11 inspector may check the brakes while driving vehicle forward into the inspection area.)  
12 (b) ~~There there~~ is audible indication (metal on metal) that the brake lining is worn to the  
13 extent that it is no longer ~~serviceable~~. serviceable; (The wheel must be pulled and the  
14 brake lining examined when this occurs.)  
15 (c) ~~Pedal pedal~~ reserve is less than ~~1/3~~ one third of the total possible travel when the brakes  
16 are fully applied, or does not meet the manufacturer's specification for power brakes or  
17 air ~~brakes~~.brakes;  
18 (d) ~~The the~~ reservoir of the master cylinder is not ~~full~~. full; (Only brake fluid meeting SAE  
19 specifications for heavy duty hydraulic brake fluid shall be used when adding or  
20 changing brake fluid.)  
21 (e) ~~There there~~ is a visible leakage or audible seepage in hydraulic, vacuum or air lines and  
22 cylinders, or visible cracked, chafed, worn, or weakened ~~hoses~~. brake lines and hoses,  
23 then there must be of a type approved for a motor vehicle use;  
24 (f) ~~The the~~ vehicle has any part of the brake system removed or ~~disconnected~~. disconnected;  
25 and  
26 (g) ~~The the~~ brake pedal moves slowly toward the ~~toeboard (indicating fluid leakage)~~  
27 toeboard, indicating fluid leakage, while pedal pressure is maintained for one minute.

28 (2) Inspection mechanics are not expected to remove wheels in order to inspect the brakes. ~~(Except~~  
29 Except as provided in Sub-item (1)(b) of this ~~Rule~~. Rule.) Inspection mechanic must raise vehicle  
30 to get beneath to check underside.

31 (3) Handbrakes (auxiliary, parking or holding) shall not be approved if:

- 32 (a) ~~There there~~ is no lever reserve when the brake is fully ~~applied~~. applied;  
33 (b) ~~Cables cables~~ are visibly frayed or frozen, or there are missing or defective cotter pins or  
34 broken or missing retracting springs or worn rods or ~~couplings~~. couplings;  
35 (c) ~~The the~~ operating mechanism, when fully applied, fails to hold the brakes in the applied  
36 position without manual ~~effort~~. effort; and  
37 (d) ~~When when~~ emergency or handbrakes are ~~applied~~. applied, without depressing the



1 19A NCAC 03D .0533 is proposed for reoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0533 LIGHTS**  
4

5 (a) Headlights shall conform to the requirements of G.S. 20-129(b) and (c). Headlights shall not be approved if:

- 6 (1) ~~There~~ there are not at least two ~~headlamps, headlamps~~ headlamps (at least four on dual headlamp systems  
7 which require four ~~units, units~~) on all self-propelled vehicles except that motorcycles and motor  
8 driven cycles need only ~~one~~ one;
- 9 (2) ~~The~~ the ~~headlamp lens or light~~ headlamp lens or light produces other than a white or yellow ~~light~~ light;
- 10 (3) ~~Any~~ any lens is cracked, broken, discolored, missing, or rotated away from the proper position, or  
11 any reflector is not clean and ~~bright~~ bright;
- 12 (4) ~~The~~ the high beam-low beam dimmer switch does not operate properly or the high beam indicator  
13 light does not burn on vehicles manufactured after January 1, ~~1956~~ 1956;
- 14 (5) ~~Lights~~ lights can be moved easily by hand, due to a broken fender or loose support, or if a good  
15 ground is not made by the ~~mounting~~ mounting;
- 16 (6) ~~Foreign~~ foreign ~~materials, such materials~~ materials (such as ~~shields, half of lens shields or painted lenses,~~  
17 ~~are placed on the headlamp lens that interferes with light beam of lamp~~ shields, half of lens shields or painted lenses,  
18 ~~are placed on the headlamp lens that interferes with light beam of lamp~~ shields, half of lens shields or painted lenses,
- 19 (7) ~~Lights~~ lights are improperly ~~aimed~~ aimed; and (A light testing machine or light testing chart shall  
20 be used to determine this.)
- 21 (8) ~~Lights~~ lights project a dazzling or glaring light when on low ~~beam~~ beam.
- 22 (9) Vehicle is equipped with headlamps that (i) change the original design or performance of the  
23 headlamps and (ii) do not comply with Federal Motor Vehicle Safety Standard No. 108, as  
adopted by the National Highway Traffic Safety Administration.

24 (b) Rear Lights shall conform to the requirements of G.S. 20-129(d). Taillights shall not be approved if:

- 25 (1) ~~All~~ all original equipped rear lamps or the equivalent are not in working ~~order~~ order;
- 26 (2) ~~The~~ the lens is cracked, discolored, ~~the lens or light project~~ of a color other than red, ~~or is~~ or is  
27 covered by a foreign material such as shields or painted lenses. Minor cracks on lenses  
28 shall not lead to disapproval unless water is likely to short out the bulb;
- 29 (3) ~~They~~ they do not operate properly and project white light on the license ~~plate~~ plate; and
- 30 (4) ~~They~~ they are not securely mounted.

31 (c) Stoplights shall conform to the requirements of G.S. 20-129(g). A stoplight shall not be approved if:

- 32 (1) ~~The~~ the lens is cracked, ~~discolored~~ discolored, ~~or the lens or light project~~ of a color other than red  
33 or amber. ~~Amber, is covered by a foreign material~~ (such as shields, painted lenses. Minor cracks  
34 on lenses shall not lead to disapproval unless water is likely to short out the bulb;
- 35 (2) ~~It~~ it does not come on when pressure is applied to foot ~~brake~~ brake; and
- 36 (3) ~~It~~ it is not securely mounted so as to project a light to the rear.

37 (d) Vehicles shall have the lights as required by G.S. 20-129.1.



1 (e) Parking lights shall conform to the requirements of G.S. 20-134. A vehicle shall not be approved if parking  
2 lights are not ~~working or covered by a foreign material such as shields or painted lenses.~~

3 (f) Back-Up Lamps. ~~Any~~ A motor vehicle may be equipped with ~~not more than two~~ back-up lamps either separately  
4 or in combination with other ~~lamps~~ lamps, must properly function, but any such back-up lamp shall not be lighted  
5 when the motor vehicle is in a forward motion nor shall the back-up lamp emit any color other than white. ~~A back-~~  
6 ~~up lamp is not a mandatory requirement.~~

7

8 *History Note: Authority G.S. 20-2; 20-39; 20-183.3;*

9 *Eff. October 1, ~~1994~~ 1994*

10 *Readopted Eff. \_\_\_\_\_, 2021.*

1 19A NCAC 03D .0534 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03D .0534 HORN**

4

5 (a) The horn shall not be approved if:

6 (1) ~~It~~ will not emit a sound audible for a distance of at least 200 feet, or it emits ~~an unusually a loud~~  
7 ~~or harsh~~ sound. Original equipment in working order will meet these requirements. Air horns  
8 cannot be substituted for original equipment.

9 (2) ~~It~~ has frayed, broken, or missing wiring; if wiring harnesses are broken or missing; if horn button  
10 is not mounted securely and in a position which is easily accessible to the driver; or if the horn is  
11 not securely mounted to the motor ~~vehicle-vehicle; and~~

12 (3) ~~Operation~~ operation of the horn interferes with the operation of any other mechanism.

13 (b) Vehicles equipped with sirens shall not be approved unless they are within the class listed in G.S. 20-125(b) as  
14 being authorized to carry a siren.

15

16 *History Note: Authority G.S. 20-2; 20-39; 20-183.3;*

17 *Eff. October 1, ~~1994~~.1994;*

18 *Readopted Eff. \_\_\_\_\_, 2021.*

1 19A NCAC 03D .0535 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03D .0535 STEERING MECHANISM**

4

5 (a) The inspection mechanic must raise the vehicle to ~~get beneath to~~ check the steering mechanism.

6 (b) The steering mechanism shall not be approved if:

7 (1) ~~With with~~ front wheels in straight ahead position there is more than three inches of free play in

8 steering wheels up to 18 inches in diameter or more than four inches of free play in steering

9 wheels over 18 inches in diameter. If vehicle is equipped with power steering, the engine must be

10 ~~operating-operating~~;

11 (2) ~~Either either~~ front or rear springs are noticeably sagging or ~~broken-broken~~;

12 (3) ~~The the~~ front wheels or front end assembly is loose, bent or twisted or bolts, nuts or rivets are

13 loose or ~~missing-missing~~;

14 (4) ~~Power power~~ steering system shows visible leaks or the power steering belt is loose or ~~worn-worn~~;

15 (5) vehicle frame or component of the steering mechanism is rusted to the point of mechanical

16 failure; or

17 (6) shock or strut is leaking to the point of failure which will inhibit the steering of the vehicle.

18

19 *History Note: Authority G.S. 20-2; 20-39; ~~20-183.3(4)~~; 20-183.3(a)(4);*

20 *Eff. October 1, ~~1994~~.1994;*

21 *Readopted Eff. \_\_\_\_\_, 2021.*

1 19A NCAC 03D .0536 is proposed for reoption without substantive changes as follows:

2

3 **19A NCAC 03D .0536 WINDSHIELD WIPER**

4

5 Windshield wipers shall not be approved if:

6 (1) The vehicle is not equipped with a windshield wiper or wipers, provided the vehicle has a  
7 windshield.

8 (2) The wiper or wipers do not operate freely.

9 (3) The wiper controls are not so constructed and located that the driver may operate them.

10 (4) The wiper or wipers are not adequate to clean rain, snow and other matter from the windshield.

11 (5) Parts of blades or arms are missing or show evidence of damage.

12

13 *History Note: Authority G.S. 20-2; 20-39; ~~20-183.3(5)~~; 20-183.3(a)(5);*

14 *Eff. October 1, ~~1994~~ 1994;*

15 *Readopted Eff. \_\_\_\_\_, 2021.*

16

1 19A NCAC 03D .0537 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03D .0537 DIRECTIONAL SIGNALS**

4

5 (a) G.S. 20-125.1 requires all vehicles except motorcycles beginning with the 1954 models to be equipped with turn  
6 signals.

7 (b) Vehicles required to have signals shall be inspected and disapproved if:

8 (1) ~~Signals~~ signals are not present ~~and or~~ of a type approved by the Commissioner as specified in G.S.

9 20-125.1. Original directional signals on vehicles manufactured after July 1, 1953, are considered

10 to be of a type approved by the Commissioner. Such signals shall be those which will allow the

11 operator of the vehicle to clearly show another operator approaching from a distance of 200 feet

12 from the front or rear his intention to turn the ~~vehicle~~ vehicle;

13 (2) ~~All~~ all lights do not operate properly, or if any lenses are broken, missing, or do not ~~fit~~

14 properly fit;

15 (3) ~~Signal~~ signal lens ~~or light~~ color is other than red or amber on the rear and other than white or

16 amber on the ~~front~~ front, is covered by a foreign material (such as shields and painted lenses);

17 (4) ~~Lamps~~ lamps are not securely mounted or wiring and connections are not in good

18 condition ~~condition~~;

19 (5) ~~Signals~~ signals are not visible from front or back due to faulty or damaged mounting or due to the

20 manner in which ~~mounted~~ mounted; or

21 (6) ~~Switch~~ switch does not operate as designed or is not ~~so~~ located in a position as to be convenient

22 for the driver to operate and so that ~~its operation~~ it does not interfere with the operation of other

23 mechanisms.

24

25 *History Note:* Authority G.S. 20-2; 20-39; ~~20-183.3(6)~~; 20-183.3(a)(6);

26 Eff. October 1, ~~1994~~ 1994;

27 Readopted Eff. \_\_\_\_\_, 2021.

1 19A NCAC 03D .0538 is proposed for reoption without substantive changes as follows:

2

3 **19A NCAC 03D .0538 TIRES**

4

5 (a) A vehicle shall be disapproved if:

6 (1) ~~Any~~any tire has cuts or snags that expose the ~~cords~~cords;

7 (2) ~~Any~~any tire has a visible bump, bulge, or knot apparently related to tread or sidewall separation  
8 or partial failure of the tire structure including bead ~~area~~area; or

9 (3) there is less than 2/32-inch tread at two or more locations around the circumference of the tire in  
10 two adjacent major tread grooves or if the tread wear indicators are in contact with the roadway at  
11 two or more locations around the circumference of the tire in two adjacent major tread grooves.

12 (b) Tire depth shall be measured by a tread depth gauge which shall be of a type calibrated in thirty-seconds of an  
13 inch. ~~Readings shall be taken in two adjacent tread grooves of the tire around the circumference of the tire.~~ Readings  
14 for a tire with a tread design that does not have two adjacent grooves near the center shall be taken at the center of  
15 the tire around the circumference of the tire. Each tire must be completely lifted from the ground for an inspection to  
16 be performed.

17

18 *History Note: Authority G.S. 20-2; 20-39; ~~20-183.3(7);~~20-183.3(a)(7);*

19 *Eff. October 1, ~~1994.~~1994;*

20 *Readopted Eff. \_\_\_\_\_, 2021.*

1 19A NCAC 03D .0539 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03D .0539 TIRES - DEFINITIONS**

4

5 As used in this and Rule .0538 of this Section, ~~the preceding Rule~~, these terms have the following meaning:

6 (1) Rim is a metal support for the tire or tire and tube assembly on the wheel. Tire beads are seated on  
7 the rim.

8 (2) Bead is that part of the tire which is shaped to fit the rim. The bead is made of high tensile steel  
9 wires wrapped and reinforced by the plies.

10 (3) Sidewall is that portion of the tire between tread and bead.

11 (4) Cord is made from textile, steel wire strands forming the plies or other structure of the tires.

12 (5) Ply is layers of rubber coated parallel cords forming the tire body.

13 (6) Rib is the tread section running circumferentially around the tire.

14 (7) Groove is the space between two tread ribs. ~~A tire shall not be approved if there is less than 2/32~~  
15 ~~inch tread at two or more locations around the circumference of the tire in two adjacent major~~  
16 ~~tread grooves or if the tread wear indicators are in contact with the roadway at two or more~~  
17 ~~locations around the circumference of the tire in two adjacent major tread grooves.~~

18

19 *History Note: Authority G.S. 20-2; 20-39; ~~20-183.3(7); 20-183.(a)(7)~~;*  
20 *Eff. October 1, ~~1994~~.1994;*  
21 *Readopted Eff. \_\_\_\_\_, 2021.*

1 19A NCAC 03D .0540 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03D .0540 REAR VIEW MIRRORS**

4

5 Rear view mirrors shall not be approved if:

6 (1) Loosely mounted.

7 (2) Forward vision of the device is obstructed by mirror assembly.

8 (3) They do not provide a clear view of the highway to the rear.

9 (4) Cracked, broken, have sharp edges or ~~can not~~ cannot be cleaned such that rear vision is not  
10 obscured.

11 (5) Very difficult to adjust or they will not maintain a set adjustment.

12 (6) Bus, truck or truck-tractor with a GVWR of 10,001 pounds or more is not equipped with a rear  
13 vision mirror on each side. If a vehicle is configured in such a way that the inside mirror is  
14 obstructed, a passenger side outside mirror is required.

15 (7) Vehicles manufactured, assembled, or first sold after January 1, 1966 are not equipped with  
16 outside rear view mirrors on the driver's side. The passenger's outside rear view mirror is not  
17 required equipment on passenger vehicles if an inside rear view mirror is present.

18

19 *History Note:* *Authority G.S. 20-2; 20-39; ~~20-183.3(8); 20-183.3(a)(8);~~*  
20 *Eff. October 1, ~~1994~~ 1994;*  
21 *Readopted Eff. \_\_\_\_\_, 2021.*



1 19A NCAC 03D .0541 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03D .0541 EXHAUST EMISSION CONTROLS**

4

5 (a) An exhaust emission shall not be approved if the vehicle is a ~~1968-year~~ 1968-year model or newer and any of  
6 the visible emission control devices placed thereon by the manufacturer are missing, disconnected, made inoperative  
7 or have been altered without approval of the Department of ~~Environment, Health, and Natural~~  
8 ~~Resources~~ Environmental Quality.

9 (b) If the unleaded gas restrictor on a vehicle manufactured after model year 1967 has been altered or removed a  
10 new or reconditioned catalytic converter and unleaded gas restrictor must be replaced before the vehicle passes  
11 inspection.

12 (c) An exhaust system shall not be approved if:

- 13 (1) ~~The the~~ vehicle has no muffler or other exhaust system of the type installed at the time of  
14 manufacture and when in constant operation to prevent excessive noise, smoke and smoke screens;  
15 (2) ~~The the~~ muffler, exhaust or tail pipes have leaking ~~joints~~ joints;  
16 (3) ~~The the~~ exhaust or tail pipes have holes, leaking seams or leaking patches on ~~muffler~~ muffler;  
17 (4) ~~The the~~ tail pipe end is ~~pinched~~ pinched;  
18 (5) ~~The the~~ exhaust system is equipped with muffler cut-out or muffler ~~by-pass~~ by-pass; or  
19 (6) ~~Any any~~ part of the system passes through the passenger compartment.

20

21 *History Note:* Authority G.S. 20-2; 20-39; ~~20-128~~; ~~20-183.3(9)~~; 20-183.3(a)(9);

22 Eff. October 1, ~~1994~~ 1994;

23 Readopted Eff. \_\_\_\_\_, 2021.

1 19A NCAC 03D .0542 is proposed for readoption without substantive changes as follows:

2

3 **19A NCAC 03D .0542 EMISSIONS CONTROL DEVICE**

4

5 Pursuant to G.S. ~~20-183.8A(2)~~, 20-183.3A(a)(2), a civil penalty shall be assessed against individuals who instruct or  
6 allow a person to remove, disconnect, tamper with, or render inoperable any emissions control device equipped by  
7 the manufacturer of any motor vehicle as described in G.S. 20-183.3. These devices include:

- 8 (1) Catalytic ~~converter,~~ converter;
- 9 (2) Unleaded gas ~~restrictor,~~ restrictor;
- 10 (3) Air pump ~~system,~~ system;
- 11 (4) EGR ~~valve,~~ valve;
- 12 (5) PCV ~~valve,~~ valve;
- 13 (6) Thermostatic air ~~cleaner,~~ cleaner;
- 14 (7) Evaporative emission ~~system,~~ system; and
- 15 (8) Oxygen sensor.

16

17 *History Note:* Authority G.S. 20-2; 20-39; 20-183.8A;

18 *Eff. October 1, ~~1994.~~ 1994;*

19 *Readopted Eff. \_\_\_\_\_, 2021.*

20

1 19A NCAC 03D .0543 is proposed for readoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0543 INSPECTION PROCEDURE FOR EMISSIONS EQUIPMENT**

4  
5 (a) In addition to the required safety inspection, all gasoline-powered motor vehicles which are registered or based  
6 in an ~~exhaust~~-emission county and which are ~~1975-1966~~ model year or newer shall have an ~~exhaust~~-emission  
7 ~~test excluding vehicles within the three most current model years and less than 70,000 miles.~~ This ~~exhaust~~-emission  
8 test is in addition to the safety inspection required in the rules in this Section and shall be administered as a part of  
9 the regular annual inspection only. ~~The exhaust emission readings resulting from the test must be at or below the~~  
10 ~~standards as set forth in Paragraph (c) of this Rule or a waiver must be issued by the Commissioner of Motor~~  
11 ~~Vehicles or his designated agent as specified in 19A NCAC 3D .0551. The current year model vehicle shall be~~  
12 ~~subject to the exhaust emissions inspection if presented for reinspection at anytime after the original inspection.~~

13 (b) Vehicles which are purchased in a ~~non-exhaust~~-emission county and which are to be based in an ~~exhaust~~  
14 emission county, shall, within ~~40 days~~ 12 months of purchase, be reinspected in compliance with the Safety  
15 Equipment ~~Exhaust~~-Emission requirements.

16 (c) The following requirements shall be adhered to by the license inspection ~~station;~~ station for calibration of the  
17 ~~exhaust emission analyzer(s) used for state inspections. The requirements are:~~

18 (1) ~~Inspections inspections~~ shall be performed only with an analyzer and software which has been  
19 certified by ~~N.C. DEHNR,~~ the North Carolina Department of Environmental Quality (NCDEQ).

20 (2) ~~All certified analyzers shall automatically require the inspection mechanic to perform a self-~~  
21 ~~calibration and leak test every three days. If the analyzer does not require a gas calibration/leak~~  
22 ~~test every three days, no additional inspections shall be performed and the DMV Inspector shall be~~  
23 ~~notified.~~

24 (3) ~~All analyzers must be equipped with two tanks of span gases in the following concentrations:~~

25 (A) ~~1.0% carbon monoxide, 6.0% carbon dioxide and 300 PPM Propane;~~

26 (B) ~~4.0% carbon monoxide, 12.0% carbon dioxide and 1200 PPM Propane.~~

27 (4) ~~All analyzer maintenance shall be performed according to the manufacturer's specifications and~~  
28 ~~reported on a maintenance log which shall be maintained at each station. Items to be recorded~~  
29 ~~include:~~

30 (A) ~~all filter replacements;~~

31 (B) ~~water trap service; and~~

32 (C) ~~any replacement or repair of the probe or sample line.~~

33 (5) ~~Multi Point Calibration Requirements.~~

34 (A) ~~In high volume stations (those performing 5000 or more tests per year), analyzers shall~~  
35 ~~undergo two point calibrations each operating day and shall continually~~  
36 ~~compensate for changes in barometric pressure. Calibration shall be checked at least~~  
37 ~~every four hours and the analyzer adjusted if the reading is more than 2% different from~~

1 the span gas value.

2 Each time the analyzer electronic or optical systems are repaired or replaced, a gas  
3 calibration shall be performed prior to returning the unit to service.

4 ~~(B)~~ In high volume stations, monthly multi point calibrations shall be performed. Low-  
5 volume stations shall perform multi point calibrations every six months. The calibration  
6 curve shall be checked at 20%, 40%, 60%, and 80% of full scale and adjusted or repaired  
7 to meet specifications listed in 40 CFR Part 51, Appendix D(I)(b)(1) which is hereby  
8 incorporated by reference, including all subsequent editions. This publication is available  
9 upon request at no cost from DMV Enforcement, 1100 New Bern Avenue, Raleigh, NC  
10 27697, telephone (919) 733-7872. The necessary additional calibration gas bottles  
11 need not be a permanent part of the analyzer, but the analyzer software must require the  
12 periodic multi point calibration and the analyzer hardware must accept the calibration gas  
13 from an external source.

14 ~~(C)~~ Gas calibration shall be accomplished by introducing National Bureau of Standards  
15 traceable gases into the analyzer either through the calibration port or through the probe.  
16 Span gases utilized for calibration shall be within two percent of the required span points.

17 ~~(6)(2)~~ Requirements for keeping and submitting records are as follows:

18 (A) Copies of the "~~Receipt and Statement~~" Vehicle Inspection Receipt/Statement shall be  
19 removed from the analyzer at the time of download and filed with other business records  
20 and kept in sequence for review by the DMV Inspector during his or her audit. These  
21 copies of the "~~Receipt and Statement~~" Vehicle Inspection Receipt/Statement must be  
22 retained for 18 ~~months~~ months; and

23 ~~(B)~~ A monthly report shall be submitted electronically by the analyzer on the date and time  
24 specified by the Division. It is the station's responsibility to connect the analyzer to the  
25 proper telephone line and leave the machine properly powered for the telephone  
26 transmittal of records on the specified date and time each and every month. Failure to  
27 comply with this requirement may result in the suspension of the station license.

28 ~~(C)~~(B) Station owners ~~owner(s)~~ shall maintain the printer in a condition so that all copies of the  
29 Vehicle Inspection Receipt/Statement are clear and legible. Failure to comply with this  
30 subsection shall result in an immediate suspension until corrected.

31 (d) The procedures for inspection shall be as follows:

32 (1) ~~The vehicle's engine must be at normal operating temperature, and all accessories must be off.~~

33 ~~(2)(1)~~ The exhaust system from the engine manifold to the rear most portion of the tailpipe shall be  
34 examined to determine that the exhaust system is free from cracks, holes or dents which would  
35 restrict, reduce, allow leakage or any way prohibit the free flow of exhaust from the engine to the  
36 rear most portion of the tailpipe. The Exhaust Emissions Test requires one analyzer probe to be  
37 inserted 10" to 16" in the end of tailpipe. If the exhaust system is defective (leaking joints, holes,

1 ~~leaking seams, or leaking patches) this could interfere with an accurate exhaust emissions reading.~~

2 A defective exhaust system is a failure item under the safety inspection requirements.

3 ~~(3)(2)~~ The inspection mechanic shall conduct the emission test with the use of an exhaust-emission  
4 analyzer which has met ~~N.C. DEHNR-NCDEQ~~ certification and has been approved by the North  
5 Carolina Commissioner of Motor Vehicles ~~or his designated agent.~~ Office. Standards for  
6 inspection are found in the publication, "Specification for the North Carolina Analyzer System"  
7 which is hereby incorporated by reference, including all subsequent amendments and editions.  
8 This publication is available at no cost from the North Carolina Department of Environment,  
9 Health, and Natural Resources, Division of Environmental Management Air Quality Section,  
10 Mobile Sources, 15 North West Street, Raleigh, NC 27626, telephone 919-733-1481.

11 ~~(4)(3)~~ The emission's test shall be conducted using the following prompts displayed on the emissions  
12 analyzer. ~~All procedures:~~ ~~(All instructions provided by the analyzer must be followed.)~~ followed:

13 (A) — Idle Mode Emission Test:

14 (i) — Analyzer must be warmed up.

15 (ii) — The analyzer shall prompt the inspector to test the vehicle in as received  
16 condition with the transmission in neutral or park. All accessories shall be  
17 turned off and the engine running at normal operating temperature.

18 (iii) — The inspector shall deploy a tachometer, insert the sample probe into the  
19 tailpipe, then the test sequence shall begin.

20 (iv) — Pre condition mode shall initiate when engine speed is between  
21 2200 and 2800 RPM and continue for 30 seconds.

22 (v) — Idle mode test shall start when the vehicle engine speed is between 350 and  
23 1100 RPM. The mode shall last a minimum of 30 seconds and a maximum of 90  
24 seconds.

25 (vi) — If the vehicle passes, the reported scores shall be the passing readings. If the  
26 vehicle fails, the inspector shall proceed to the second chance test.

27 (vii) — Second chance pre condition mode shall initiate when engine speed is  
28 between 2200 and 2800 RPM and continue for 180 seconds.

29 (viii) — Second chance idle test shall start when the vehicle engine speed is  
30 between 350 and 1100 RPM. The mode shall last for a maximum of 90 seconds.

31 NOTE: The engine shall be shut off and restarted for 1981-1986 Ford Motor  
32 Company products and 1984-1985 Honda Preludes, as instructed by the  
33 analyzer.

34 (ix) — The pass/fail analysis shall begin after an initial time delay of 10  
35 seconds.

36 (x) — The pass/fail determination is made based on a comparison of the HC and  
37 CO readings against the idle emission standards for that particular vehicle.

(B) ~~The analyzer shall test and disapprove a vehicle when the Carbon Monoxide (CO) or Hydrocarbon (HC) reading of the inspected vehicle is higher than the standards set forth in Paragraph (e) of this Rule.~~

(e) ~~The following chart indicates the maximum allowed Emission Standards which became effective April 1, 1991:~~

VEHICLE CLASS	MODEL YEAR	CARBON MONOXIDE	HYDROCARBON
		CO STANDARD AT IDLE (0%)	HC STANDARD AT IDLE (PPM)
Light duty vehicles	1975-1977	4.5	450
	1978-1979	3.5	350
	1980	2.0	250
	1981 & later	1.2	220
Heavy duty vehicles	1975-78	5.0	500
	1979 & later	4.0	400

(f) ~~A challenge waiver may be issued by the Commissioner of Motor Vehicles or his designated agent, Office. If the owner/operator of the vehicle suspects the analyzer is incorrect, he or she may petition the Division of Motor Vehicles to test the vehicle in question to determine the analyzer's accuracy. If the test determines the vehicle to be in compliance with the Emission Standards, a challenge waiver shall be issued and the Division shall immediately require an examination of the station analyzer in question and take corrective action.~~

*History Note: Authority G.S. 20-2; 20-39; 20-183.3;  
Eff. October 1, 1994. 1994;  
Readopted Eff. \_\_\_\_\_, 2021.*

1 19A NCAC 03D .0544 is proposed for readoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0544 SAFETY INSPECTION OF MOTORCYCLES**

4 (a) Motorcycle brakes shall fail safety inspection if:

- 5 (1) ~~When~~when applying brakes to moving vehicle, there is insufficient force to stop the  
6 ~~vehiele.~~vehicle;  
7 (2) ~~Brakes~~brakes are worn in such a manner that there is an uneven braking ~~force.~~force;  
8 (3) ~~There~~there is an audible or visual indication that the brake lining is worn to the extent it is no  
9 longer ~~serviceable.~~serviceable;  
10 (4) ~~There~~there is less than one-third reserve in either footbrake or handbrake total possible travel  
11 when the brakes are fully ~~applied.~~applied;  
12 (5) ~~Reservoirs~~reservoirs of braking cylinders are not ~~full.~~full;  
13 (6) ~~There~~there is a visible leakage of fluid from any brake line or brake ~~component.~~component; or  
14 (7) ~~Handbrake~~handbrake cables are frayed, broken, or frozen or linkage is defective.

15 (b) Motorcycle headlamps shall fail safety inspection if:

- 16 (1) ~~Headlamp~~headlamp does not ~~operate properly.~~operate or is a color other than white;  
17 (2) ~~There~~there are more than two headlamps connected on a single ~~switch.~~switch;  
18 (3) ~~Headlamp~~headlamp is cracked or has holes which allow entry of ~~water.~~water;  
19 (4) ~~There~~there is standing water in the ~~headlamp.~~headlamp; or  
20 (5) ~~Headlamp~~headlamp is out of ~~proper~~aim.

21 (c) Motorcycle rear lamps shall fail safety inspection if:

- 22 (1) ~~They~~they do not ~~operate.~~operate;  
23 (2) ~~Light~~light is a color other than ~~red.~~red;  
24 (3) ~~Light~~lens is cracked or broken and allows entry of ~~water.~~water;  
25 (4) ~~There~~there is standing water in the ~~lens.~~lens;  
26 (5) ~~Lamp~~lamp is not securely ~~mounted.~~mounted; or  
27 (6) ~~Wiring~~wiring is broken or frayed.

28 (d) A motorcycle stop lamp shall fail safety inspection if:

- 29 (1) ~~Lamp~~lamp does not operate when brakes are ~~applied.~~applied;  
30 (2) ~~Light~~light -is a color other than red or ~~amber.~~amber;  
31 (3) ~~Light~~lens is cracked or broken or allows entry of ~~water.~~water;  
32 (4) ~~There~~there is standing water in the ~~lens.~~lens;  
33 (5) ~~Lamp~~lamp is not securely ~~mounted.~~mounted; or  
34 (6) ~~Wiring~~wiring is broken or frayed.

35 (e) A motorcycle license plate light shall fail safety inspection if:

- 36 (1) ~~Light~~light does not ~~operate.~~operate;  
37 (2) ~~Light~~light does not illuminate the license ~~plate.~~plate; or

- 1           (3)     ~~Light~~ light is a color other than white.
- 2 (f) A motorcycle horn shall fail safety inspection if:
- 3           (1)     ~~The the~~ horn does not ~~operate~~ operate;
- 4           (2)     ~~The the~~ sound emitted is not audible at 200 ~~feet~~ feet;
- 5           (3)     ~~The the~~ horn is not securely ~~mounted~~ mounted; or
- 6           (4)     ~~The the~~ button is mounted so that it ~~can not~~ cannot be easily operated by the driver.
- 7 (g) Motorcycle tires shall fail safety inspection if:
- 8           (1)     ~~There there~~ is less than two thirty-seconds-of an inch of tread at two or more locations around the
- 9                     circumference of the tire in two adjacent major tread grooves, or if the tread wear indicators are in
- 10                    contact with the roadway at two or more locations around the circumference of the ~~tire~~ tire;
- 11           (2)     ~~Cords cords~~ are exposed at any location on the ~~tire~~ tire; or
- 12           (3)     ~~Sidewall sidewall~~ is cut, bulging, damaged or is severely cracked due to dry rotting.
- 13 (h) Motorcycle rear view mirrors shall fail safety inspection if:
- 14           (1)     ~~The the~~ mirrors are missing, broken, or ~~eracked~~ cracked;
- 15           (2)     ~~The the~~ mirrors are not securely ~~mounted~~ mounted; or
- 16           (3)     ~~The the~~ mirrors will not hold a setting while vehicle is in operation.
- 17 (i) A motorcycle exhaust system shall fail safety inspection if:
- 18           (1)     ~~The the~~ motorcycle has no ~~muffler~~ muffler;
- 19           (2)     ~~The the~~ muffler, exhaust or tailpipe have holes, leaking joints, seams, or ~~patches~~ patches;
- 20           (3)     ~~The the~~ tailpipe end is ~~pinched~~ pinched;
- 21           (4)     ~~The the~~ exhaust system is equipped with a muffler cut out or ~~bypass~~ bypass; or
- 22           (5)     ~~The the~~ muffler baffles have been removed or damaged to create a straight pipe.
- 23 (j) A motorcycle steering mechanism shall fail safety inspection if:
- 24           (1)     ~~Front front~~ shocks are sagging or ~~broken~~ broken;
- 25           (2)     ~~Front front~~ end assembly is loose, bent or there are damaged or twisted ~~bolts~~ bolts; or
- 26           (3)     ~~Front front~~ end nuts, bolts, or rivets are loose or missing.
- 27

28 *History Note:*     Authority G.S. 20-2; 20-39; 20-183.3;

29                     Eff. October 1, 1994.

30                     Readopted Eff. \_\_\_\_\_, 2021.



1 19A NCAC 03D .0545 is proposed for readoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0545 INVESTIGATION/AUDIT/SAFETY OR EXHAUST-EMISSIONS INSPECTION**  
4 **STATIONS**

5  
6 ~~(a) Gas Audit Inspection: A DMV Inspector shall make a check of each station's calibration gas four times a year. This check is accomplished by measuring the concentration of the certified audit gas on the station's analyzer after calibration with the station's gas. If an analyzer fails it shall be placed in a lockout position until brought into compliance by the manufacturer and certified by retesting.~~

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9  
10 ~~(b)~~(a) Complaints To Be Investigated: All ~~bona fide~~ complaints received by the Commissioner about any inspection station shall be investigated for the purpose of determining whether there has been a violation of the inspection laws.

11  
12 ~~(c)~~(b) Appropriate Action To Be Taken: When it appears from any investigation that the inspection ~~law, law~~ has been violated by an inspection station or its agents or employees, or by a ~~Self inspector, self-inspector,~~ the Commissioner shall take the appropriate ~~action~~ action, which may include but is not limited to suspension or revocation of the station's license and inspector certifications. ~~When any such license is suspended or revoked, the owner of the station shall return the license, all unused inspection stickers, required records and reports and forms and supplies on hand to the Commissioner.~~

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18 ~~(d)~~(c) Report of Undercover Investigation: Periodic checks shall be made by undercover officers of the Division of Motor Vehicles routinely and upon receipt of complaints to determine compliance with inspection laws. If violations are detected, administrative action shall be taken by the Division of Motor Vehicles against the licensed station and the inspection mechanic.

19  
20  
21  
22 ~~(e)~~(d) Revocation, Suspension or Denial: Any safety equipment or safety equipment ~~exhaust~~-emission inspection station whose license has been revoked or suspended may, prior to such revocation or suspension order being served, request a hearing before the Commissioner and in such cases the hearing shall be held as soon as practicable. To ensure such an opportunity to the licensee, an agent of the Commissioner shall offer in writing said hearing prior to serving a suspension or revocation order. If the licensee requests a hearing prior to the revocation or suspension order being served, the licensee shall be allowed to continue conducting inspections. The Commissioner, following such hearing, may rescind, amend or affirm the revocation or suspension order.

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29 ~~(f)~~(e) When an authorized agent of the Division of Motor Vehicles Enforcement Section detects a violation, he shall immediately advise the owner/operator to discontinue all inspections/operations until he or she is in compliance and approved by the Division of Motor Vehicles Enforcement Section Inspector.

30  
31  
32  
33 *History Note: Authority G.S. 20-2; 20-39; 20-183.6A; 20-183.8D; ~~20-183.8E;~~ 20-183.8F;*  
34 *Eff. October 1, 1994.*

1 19A NCAC 03D .0550 is proposed for readoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0550 WAIVERS FROM EXHAUST-EMISSIONS TEST REQUIREMENTS**

4  
5 (a) ~~The Commissioner, Commissioner of Motor Vehicles, or Enforcement Section License and Theft Bureau~~  
6 employees who are designated by the Commissioner, may issue a written waiver from the applicable ~~exhaust~~  
7 emissions test standards for any vehicle, except vehicles listed in Paragraph (g) of this Rule, if the waiver issuance  
8 criteria have been met.

9 (b) A written waiver shall be issued in accordance with this ~~rule~~ Rule upon request when all of the following criteria  
10 have been ~~met~~ met to the satisfaction of the Commissioner or the designated Enforcement Section employee:

11 (1) ~~The the~~ vehicle passed the safety portion of the inspection as shown by the vehicle inspection  
12 receipt completed by the licensed ~~self-inspector or~~ inspection station that performed the  
13 ~~inspection.~~ inspection;

14 (2) ~~The the~~ vehicle failed the ~~exhaust~~ emissions portion of the inspection as shown by the vehicle  
15 inspection receipt completed by the licensed ~~self-inspector or~~ inspection station that performed the  
16 ~~inspection.~~ inspection;

17 (3) ~~The the~~ vehicle is equipped with each ~~exhaust~~ emissions control device listed in Rule .0543 of this  
18 Section, if such device was equipped on the vehicle by the manufacturer. If the unleaded gas  
19 restrictor has been removed or rendered inoperable, the catalytic converter must be  
20 ~~replaced.~~ replaced; and

21 (4) ~~Qualifying~~ qualifying repairs have been completed on the vehicle within ~~45~~ 60 days following the  
22 initial failed ~~exhaust~~ emissions inspection. Proof of repairs must be shown by itemized and dated  
23 receipts from the person or business that provided the repair service or parts. Receipts for parts  
24 shall name the part and not just the stock number. Qualifying repairs means repairs performed on a  
25 vehicle for the purpose of repairing the cause of the ~~exhaust~~ emissions inspection failure. The  
26 repairs must be appropriate to the cause of the test failure. A visual inspection of the vehicle shall  
27 be made by the designated ~~Enforcement Section License and Theft Bureau~~ employee to determine  
28 if repairs were actually performed if, given the nature of the repair, this can be visually confirmed.

29 (A) ~~For pre 1981 model year vehicles, qualifying repairs may be performed by any person,~~  
30 ~~including the vehicle owner.~~

31 (B)(A) For 1981-1996 and later model year vehicles, qualifying repairs must be performed by a  
32 person who is professionally engaged in vehicle repairs or who is employed by a business  
33 whose purpose is vehicle repair or who possesses a certification from the National  
34 Institute For Automotive Service Excellence for emission-related diagnosis and repair.

35 (5) ~~The the~~ minimum repair expenditure applicable to the vehicle has been met by having qualifying  
36 repairs performed on the vehicle.

37 (A) ~~For 1975-1980 model year vehicles, the minimum repair expenditure is seventy five~~

1                   ~~dollars (\$75.00).~~ Only the costs of parts are applied toward the minimum repair  
2                   expenditure on these vehicles if the repairs are performed by the vehicle owner or by a  
3                   person who is not professionally engaged in vehicle repairs or who is not employed by a  
4                   business whose purpose is vehicle repair or who does not possess a certification from the  
5                   National Institute For Automotive Service Excellence for emission-related diagnosis and  
6                   repair.

7                   (B) For ~~1981-1996~~ and later model year vehicles, the minimum repair expenditure is two  
8                   hundred dollars (\$200.00), including parts and labor costs.

9                   (C) The cost of repairs to correct or replace emissions control devices that have been  
10                  removed, disconnected or rendered inoperable shall not be applied toward the minimum  
11                  repair expenditure for any vehicle, regardless of model year.

12                  (D) The cost of diagnostic testing to determine whether the vehicle meets ~~exhaust~~ emissions  
13                  standards shall not be applied toward the minimum repair ~~expenditure.~~ unless associated  
14                  with actual repairs to the vehicle.

15                  (E) Any available warranty coverage on the vehicle must be used to obtain the needed repairs  
16                  before expenditures may be applied to the minimum repair expenditure.

17                  (6) The vehicle owner has received a written denial of warranty coverage from the vehicle  
18                  manufacturer or authorized dealer if the vehicle is within the statutory age and mileage  
19                  coverage under section 207(b) of the Federal Clean Air Act [42 U.S.C. 754(b)].

20                  (7) After qualifying repairs have been completed and within ~~45-60~~ days after failing the initial ~~exhaust~~  
21                  emissions inspection, the vehicle failed another ~~exhaust~~ emissions inspection as shown by the  
22                  vehicle inspection receipt completed by the licensed ~~self-inspector or~~ inspection station that  
23                  performed the inspection.

24                  (c) The vehicle owner or person authorized by the owner must request the waiver and present the vehicle and  
25                  current registration ~~sticker~~ at the ~~Division Enforcement Section-License and Theft Bureau office.~~ office that serves  
26                  the county in which the vehicle is registered. The receipts and other documents required by Paragraph (b) of this  
27                  Rule must be submitted to the designated ~~Enforcement Section-License and Theft Bureau~~ employee at the time of  
28                  the request for a waiver.

29                  (d) The designated ~~Enforcement Section-License and Theft Bureau~~ employee shall review the receipts and  
30                  documents submitted in connection with the waiver request and shall make a visual inspection of the vehicle to  
31                  verify that the criteria listed in Paragraph (b) of this Rule have been met. If the ~~Enforcement Section-License and~~  
32                  Theft Bureau employee is satisfied that the waiver criteria have been met, the Division must issue a written waiver  
33                  for the vehicle on a form provided by the Division.

34                  (e) The vehicle owner or person authorized by the owner must present the waiver to the licensed self-inspector or  
35                  inspection station that performed the initial safety and ~~exhaust~~ emissions inspection. The ~~self-inspector or~~ inspection  
36                  station shall reinspect the vehicle in accordance with the rules under this Section, except for the ~~exhaust~~ emissions  
37                  portion of the inspection. The waiver authorization number shown on the written waiver must be entered into the

1 ~~exhaust~~ emissions analyzer. If the vehicle meets all other requirements of the inspection, the ~~self-inspector or~~  
2 inspection station shall pass the vehicle inspection. ~~affix a valid inspection sticker to the vehicle which shall expire at~~  
3 ~~the same time it would if the vehicle had passed the exhaust emissions inspection.~~

4 (f) Each ~~self-inspector and~~ inspection station must maintain a copy of the written waivers for vehicles inspected and  
5 approved by the station for at least 18 months in the same manner and under the same conditions as other inspection  
6 records which are required to be maintained pursuant to G.S. 20-183.6A(b).

7 (g) Waivers shall not be issued for any of the following vehicles:

- 8 (1) ~~Vehicles~~ vehicles that are owned, operated or leased by a licensed self-inspector; or
- 9 (2) Vehicles that are owned or being held for retail sale by a motor vehicle dealer, as defined in G.S.  
10 20-286(11).

11  
12 *History Note: Authority G.S. 20-39; 20-183.5;*

13 *Eff. October 1, ~~1994~~ 1994;*

14 *Readopted Eff. \_\_\_\_\_, 2021.*

1 19A NCAC 03D .0551 is proposed for readoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0551 WINDOW TINTING**

4 (a) All stations performing window tinting inspections shall have a light meter or photometer which has been  
5 properly tested and approved by the Commissioner of Motor Vehicles. Stations which do not have an approved light  
6 meter shall not inspect vehicles with applications of after-factory window tinting. Stations are not required to  
7 maintain a light meter in order to perform safety inspections on vehicles without after-factory window tinting.

8 (1) The inspection mechanic shall determine if the vehicle has after-factory window tinting prior to  
9 beginning the inspection. The mechanic may use an automotive film check card or knowledge of  
10 window tinting techniques to determine if a vehicle has after-factory tint applied to any window of  
11 the vehicle.

12 (2) If a station determines a vehicle has after-factory window tinting but does not have an approved  
13 light meter, the mechanic must inform the customer he is unable to perform the inspection. The  
14 station may not charge for any portion of the inspection.

15 (b) All windows with applications of after-factory window tinting shall be inspected with an approved photometer  
16 which is properly calibrated and functioning. An inspection mechanic shall not inspect an after-factory tinted  
17 window of a vehicle for which the Division has issued a medical exception permit pursuant to G.S. 20-127(f).

18 (c) Prior to performing a test on a vehicle, the mechanic shall test the photometer for accuracy by checking the  
19 calibration against a reference sample of glass provided by the manufacturer. If the photometer indicates the device  
20 exceeds the net light transmission by ~~+plus~~ or ~~-minus~~ three percentage points, the unit shall be considered out of  
21 calibration and may not be used until properly calibrated. The unit's digital display must also be checked to ensure  
22 all digital display segments are lit and ~~properly~~ functioning.

23 (1) The reference glass sample must be clean and free of dirt prior to performing the calibration  
24 check.

25 (2) If a reference glass sample has been broken or is missing, the test shall not be performed and the  
26 mechanic shall inform the customer he is unable to perform the inspection.

27 (3) If a digital display segment is not functioning, the test shall not be performed and the mechanic  
28 shall inform the customer he is unable to perform the inspection. The unit may not be used until it  
29 is repaired.

30 (4) The windows to be tested shall be clean and free of dirt or moisture.

31 (d) The test shall be performed according to the photometer manufacturer's recommendations.

32 (e) Window tint shall fail safety inspection if:

33 (1) Any window on the vehicle with after-factory tint has a light transmittance of less than 32%.

34 (2) The tint on any window is red, yellow, or amber.

35 (3) The tint on the windshield extends more than five inches below the top of the windshield or is  
36 below the AS1 line of the windshield, whichever measurement is longer.

37 (4) The light reflectance of a tinted window is not 20% or less.

- 1 (f) Window tinting on vehicles with after-factory window tint shall not be inspected if the vehicle is exempt from  
2 the window tinting restrictions under G.S. 20-127(c).
- 3 (g) The mechanic shall collect the fee as specified in G.S. 20-183.7(a) for performing the inspection.
- 4 (h) The fee for inspecting window tinting may only be charged for vehicles with after-factory tint applied. If the  
5 light transmission exceeds 65%, the vehicle shall not be considered to have after-factory tint and the mechanic shall  
6 not charge the fee as specified in G.S. 20-183.7(a).
- 7 (i) Standards for devices used to measure light transmittance through vehicle windshields and windows are as  
8 provided in this section. These standards include but are not limited to portable devices used within the State of  
9 North Carolina to measure light transmittance through vehicle windshields and windows pursuant to G.S. 20-127.  
10 These devices shall be provided with a standard reference sample and procedure for taking readings utilizing the  
11 reference sample. The device light source shall be mid-range in the visible spectrum (560nm +/- 20nm) and shall not  
12 emit in the ultraviolet and infrared portions of the electromagnetic spectrum.
- 13 (j) The standardization of glass reference samples shall be traceable to the National Institute of Standards and  
14 Technology (NIST).

15  
16 *History Note:* Filed as a Temporary Adoption Eff. November 1, 1995 for a period of 180 days or until the  
17 permanent rule becomes effective, whichever is sooner;  
18 Authority G.S. 20-2; 20-39; 20-127; ~~20-183.6(a)~~; 20-183.7(a);  
19 Eff. February 1, ~~1996~~ 1996;  
20 Readopted Eff. \_\_\_\_\_, 2021.

1 19A NCAC 03D .0552 is proposed for readoption without substantive changes as follows:

2  
3 **19A NCAC 03D .0552 PHOTOMETER DESIGN AND PERFORMANCE REQUIREMENTS**  
4

5 (a) Multi-piece photometers shall be designed to be operated by one person on front windows, roll-down and non-  
6 roll-down side windows, and rear windows with up to 1/4-inch glass thickness. The multi-piece photometer shall  
7 have a three-digit digital readout capable of displaying from 00.0% to 99.9% transmittance with a resolution to the  
8 nearest 1/10 of 1%.

9 (b) The multi-piece photometer shall incorporate an automatic alignment feature or positive alignment indication  
10 such that the alignment of the transmitter and receiver are accomplished either automatically by respective devices  
11 or through an electronic noise indicating proper alignment, a light indicating proper alignment, or a feature which  
12 prevents readings being taken without the device being properly aligned. The automatic field of view of the  
13 transmitter and receiver shall be large enough to provide a stable and accurate reading of the true net transmittance  
14 of the measured window.

15 (c) All photometric devices shall maintain unit accuracy within + plus or - minus three percentage points of  
16 reference samples between ten and seventy percent net light transmission.

17 (d) All photometric devices shall have a repeatability of + plus or - minus one percentage point from reading to  
18 reading.

19 (e) If the unit's supply voltage falls below the usable operating range, the device shall produce a low battery  
20 indication or fail to perform testing. Accurate readings must not be affected by the unit's supply voltage. The unit's  
21 power supply shall be capable of producing a minimum of 200 readings before replacement or recharge.

22 (f) Photometric devices shall not be affected by light sources other than the unit's source light. In addition to  
23 physical light barriers such as felt covers, rubber gaskets, the photometer shall include some form of electronic  
24 filtration or cancellation of any stray or ambient light sources. Units with readings affected by outside stray or  
25 ambient light sources shall not be acceptable.

26 (g) Photometric devices shall not be affected by interference generated by electric equipment, tools, or lighting  
27 devices. Readings shall not fluctuate when close to operating electric motors or lighting sources.

28 (h) Operating humidity range shall be 0-100% non-condensing. Operating temperature range shall be zero to 110  
29 degrees F.

30 (i) Photometric devices shall incorporate a means of compensating for temperature and humidity changes within the  
31 stated ranges of this Rule. Acceptable units shall be capable of demonstrating both accuracy and repeatability of  
32 transmittance readings throughout the operating temperature and humidity ranges under Paragraph (h) of this Rule.

33 (j) The multi-piece photometer's transmitter shall have a light source capable of providing a uniform intensity beam  
34 that can accommodate the alignment capabilities of the receiver. Multi-piece photometers shall incorporate a means  
35 of self-alignment or positive alignment indication that shall be accomplished when the source and detector units are  
36 placed on their respective surfaces of the glazing to be measured as described in Paragraph (a) of this Rule. The

1 alignment shall be accurate enough to position the detector unit well within the uniform beam of the source. The  
2 result of this alignment feature shall be data that meets the accuracy and repeatability requirements of this Rule.

3 (k) Reference samples shall be glass with a warranted transmittance stability of at least one year. Reference samples  
4 shall provide a uniform surface reading at four points with a variation not to exceed one percentage point as  
5 measured by a calibrated spectrophotometer over an indicated range within 560nm with a variance of no more than  
6 20nm. Reference samples shall be permanently labeled or inscribed with the manufacturer's name, address, and date  
7 of calibration. Manufacturers shall ensure replacement reference samples are available to the consumer within two  
8 working days in the event of damage or breakage.

9 (l) Photometric devices shall include an all segments display option for testing the unit's LCD display segments.  
10 This test may be performed prior to each reading or through a separate test button.

11 (m) Photometric units shall incorporate devices which shall protect the light source and detector from direct contact  
12 with environmental elements, dust, grease, and other products commonly associated with automotive repair shops.  
13 These devices shall also prevent the user from directly touching either the light source or detector.

14

15 *History Note: Filed as a Temporary Adoption Eff. November 1, 1995 for a period of 180 days or until the*  
16 *permanent rule becomes effective, whichever is sooner;*

17 *Authority G.S. 20-2; 20-39; 20-127; ~~20-183.6(a);~~ 20-183.7(a);*

18 *Eff. February 1, ~~1996-1996;~~*

19 *Readopted Eff. \_\_\_\_\_, 2021.*



# TITLE VI PUBLIC INVOLVEMENT FORM

Completing this form is **completely** voluntary. You are not required to provide the information requested in order to participate in this meeting.

<b>Meeting Type:</b> Rule Changes Virtual Public Hearing	<b>Date:</b> April 20, 2021
<b>Location:</b> GoToMeeting	
<b>TIP No.:</b>	
<b>Project Description:</b>	

In accordance with Title VI of the Civil Rights Act of 1964 and related authorities, the N.C. Department of Transportation assures that no person(s) shall be excluded from participation in, denied the benefits of, or subjected to discrimination under any of the Department's programs, policies, or activities, based on their race, color, national origin, disability, age, income, or gender.

**Completing this form helps meet our data collection and public involvement obligations under Title VI and NEPA, and will improve how we serve the public.** Please place the completed form in the designated box on the sign-in table, hand it to an NCDOT official or mail it to the Environmental Analysis Unit, 1598 Mail Service Center, Raleigh, NC 27699-1598.

All forms will remain on file at the NCDOT as part of the public record.

<b>Zip Code:</b> _____	<b>Gender:</b> <input type="checkbox"/> Male <input type="checkbox"/> Female
<b>Street Name:</b> (i.e. Main Street) _____	<b>Age:</b>
<b>Total Household Income:</b>	<input type="checkbox"/> Less than 18 <input type="checkbox"/> 45-64
<input type="checkbox"/> Less than \$12,000 <input type="checkbox"/> \$47,000 – \$69,999	<input type="checkbox"/> 18-29 <input type="checkbox"/> 65 and older
<input type="checkbox"/> \$12,000 – \$19,999 <input type="checkbox"/> \$70,000 – \$93,999	<input type="checkbox"/> 30-44
<input type="checkbox"/> \$20,000 – \$30,999 <input type="checkbox"/> \$94,000 – \$117,999	<b>Have a Disability:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> \$31,000 – \$46,999 <input type="checkbox"/> \$118,000 or greater	<b>National Origin:</b> (if born outside the U.S.)
<b>Race/Ethnicity:</b>	<input type="checkbox"/> Mexican
<input type="checkbox"/> White	<input type="checkbox"/> Central American: _____
<input type="checkbox"/> Black/African American	<input type="checkbox"/> South American: _____
<input type="checkbox"/> Asian	<input type="checkbox"/> European: _____
<input type="checkbox"/> American Indian/Alaskan Native	<input type="checkbox"/> Chinese
<input type="checkbox"/> Native Hawaiian/Pacific Islander	<input type="checkbox"/> Vietnamese
<input type="checkbox"/> Hispanic/Latino	<input type="checkbox"/> Korean
<input type="checkbox"/> Other (please specify): _____	<input type="checkbox"/> Other (please specify): _____

How did you hear about this meeting? (newspaper advertisement, flyer, and/or mailing) \_\_\_\_\_

For more information regarding Title VI or this request, please contact the NCDOT Title VI Nondiscrimination Program at (919) 508-1808 or toll free at 1-800-522-0453, or by email at [titleVI@ncdot.gov](mailto:titleVI@ncdot.gov). Thank you for your participation!



**NCDOT- Environmental Analysis Unit  
Attn: Jamille Robbins  
1598 Mail Service Center  
Raleigh, NC 27699-1598**

**COMMENT SHEET**

Proposed Rules for \_\_\_\_\_

Virtual Public Hearing – April 20, 2021

**NAME:**

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**ADDRESS:**

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**COMMENTS AND/OR QUESTIONS:**

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**Submit comments via mail or email to:**

Attn: Jamille Robbins  
NCDOT – Environmental Analysis Unit  
1598 Mail Service Center  
Raleigh, NC 27699-1598  
Phone: (919) 707-6085  
Email: [jarobbins@ncdot.gov](mailto:jarobbins@ncdot.gov)

Attn: Helen Landi  
Rulemaking Coordinator  
1501 Mail Service Center  
Raleigh, NC 27699-1501  
Phone: (919) 707-2821  
Email: [Rulemaking@ncdot.gov](mailto:Rulemaking@ncdot.gov)



**NCDOT- Environmental Analysis Unit  
Attn: Jamille Robbins  
1598 Mail Service Center  
Raleigh, NC 27699-1598**