

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

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3 **19A NCAC 03D .0522 DENIAL, SUSPENSION OR REVOCATION OF LICENSES**
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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25 Motor Vehicles, that has been revoked or suspended, the reinstatement applicant shall demonstrate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.

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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.*