



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

DIVISION OF MOTOR VEHICLES

J. ERIC BOYETTE  
SECRETARY

January 5, 2021

**Fiscal Analysis**

To conform and update rules to current law and Office of Administrative Hearings style changes, the North Carolina Division of Motor Vehicles (DMV) is proposing 43 rule changes to:

- 19A NCAC 03D Section .0100 (1 Rule)
- 19A NCAC 03D Section .0200 (7 Rules)
- 19A NCAC 03D Section .0400 (4 Rules)
- 19A NCAC 03D Section .0500 (31 Rules)

**Proposed NCAC Rule Changes:**

- 19A NCAC 03D .0102 Repeal
- 19A NCAC 03D .0221 Amendment to Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0223 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0224 Amendment to Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0225 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0226 Amendment, Technical Changes
- 19A NCAC 03D .0227 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0229 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0402 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0403 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0404 Technical Changes
- 19A NCAC 03D .0405 Technical Changes
- 19A NCAC 03D .0517 Technical Changes
- 19A NCAC 03D .0518 Technical Changes
- 19A NCAC 03D .0519 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0520 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0521 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0521 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0522 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0523 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0525 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0526 Amendment to Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0527 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0528 Comply with Statutory Changes, Technical Changes

- 19A NCAC 03D .0529 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0530 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0531 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0532 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0533 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0534 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0535 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0536 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0537 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0538 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0539 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0540 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0541 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0542 Comply with Statutory Changes, Technical Change
- 19A NCAC 03D .0543 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0544 Technical Changes
- 19A NCAC 03D .0545 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0550 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0551 Comply with Statutory Changes, Technical Changes
- 19A NCAC 03D .0552 Comply with Statutory Changes, Technical Changes

Agency Contact: Helen Landi  
 Interagency Director/APA Coordinator

Hannah D. Jernigan  
 APA/Rulemaking Program Manager

Statutory Authority: N.C.G.S. § 20-2; § 20-39; § 20-52; § 20-52.1; § 20-72; § 20-72.1; § 20-75; § 20-77, § 20-77(d); § 20-79; § 20-79(a); § 20-79.1; § 20-87(7); § 20-114(c); § 20-143-143.9; § 20-143-143.12; § 20-183.2, § 20-183.3, § 20-183.3(a)(1), § 20-183.3(c), § 20-183.4; § 20-183.4D; § 20-183(a)(4) through 20-183(a)(9); § 20-183.5; § 20-183.6; § 20-183.6A; § 20-183.7; § 20-183.7(a); § 20-183.8A(a)(2); § 20-183.8F; § 20-286; § 20-288(e); § 20-294; § 20-294(2); § 20-302; § 44A-2 through 44A-4; 93B-8.1; § 160A 303

Impact Summary: Federal Government – No  
 State Government – No  
 Local Government – No  
 Substantial Impact – No

Necessity: NCDMV is proposing to revise 43 License and Theft Bureau (formerly known as the Enforcement Section) Administrative Code Rules as they apply to General Information; Motor Vehicle Dealer, Sales, Distributor and Factory Representative License; Notice of Sale and Stored Vehicles; and General Information Regarding Safety Inspection of Motor Vehicles. Some of these Rules have not been updated in more than 35 years.

As part of the Office of Administrative Hearings (OAH) Periodic Review,

these Rules were deemed necessary with substantive public interest. The agency is updating these rules with technical changes to conform with current law, OAH preferred style and format and modern processes and procedures. Additional technical changes to several other rules are proposed to clarify and update language. These rules do not have substantive changes. No fees or any funds are being added to these rules. Where appropriate and where fees are already listed in statute, they have been removed from these rules.

**19A NCAC 03D .0102 Forms and Publications - Repeal**

**19A NCAC 03D .0221 Conditions for Issuing Temporary Markers by A Dealer – Amendment, Technical Changes**

This rule is amended to comply with statutory changes to North Carolina General Statutes § 20-79.1, § 20-52 and style changes.

**19A NCAC 03D .0223 Dealer Plates - Technical Changes**

This rule is updated to comply with statutory changes to North Carolina General Statutes § 20-87(7) and style changes.

**19A NCAC 03D .0224 Illegal Use of Dealer Plates – Amendment, Technical Changes**

This rule is amended to comply with statutory changes to North Carolina General Statutes § 20-79, § 20-294 and style changes.

**19A NCAC 03D .0225 Vehicles Offered for Sale Owned by Dealership - Technical Changes**

This rule is updated to comply with statutory changes to North Carolina General Statutes § 20-52.1, § 20-72, § 20-72.1, § 20-79 and style changes.

**19A NCAC 03D .0226 Vehicles Offered for Sale on Consignment – Amendment, Technical Changes**

This rule is amended to clarify the rule and make style changes.

**19A NCAC 03D .0227 Vehicles Offered for Sale on Floor Plan Lien - Technical Changes**

This rule is updated to comply with statutory changes to North Carolina General Statutes § 20-52, § 20-72, § 20-72.1, § 20-75 and style changes.

**19A NCAC 03D .0229 Corporate Surety Bonds: Mobile Manufactured Home Dealers - Technical Changes**

This rule is updated to comply with statutory changes to North Carolina General Statutes § 143-143.9, § 143-143.12 and style changes.

**19A NCAC 03D .0402 Unclaimed Motor Vehicle - Technical Changes**

This rule is updated to comply with statutory changes to North Carolina General Statutes § 20-77, § 44A-2 and style changes.

**19A NCAC 03D .0403 Sale of Vehicle to Satisfy Garage Storage or Mechanic Lien - Technical Changes**

This rule is updated to comply with statutory changes to North Carolina General Statutes § 20-77, § 44A-2, § 44A-4 and style changes. The fee amount was removed due to it residing within statute.

**19A NCAC 03D .0404 Sale of Motor Vehicle Under Judicial Proceedings - Technical Changes**

This rule is updated to comply style changes.

**19A NCAC 03D .0405 Sale of Abandoned Vehicle - Technical Changes**

This rule is updated to comply style changes.

**19A NCAC 03D .0517 Definitions - Technical Changes**

This rule is updated to comply style changes.

**19A NCAC 03D .0518 Licensing of Safety or Emissions Inspection Stations - Technical Changes**

This rule is updated to comply style changes.

**19A NCAC 03D .0519 Stations - Technical Changes**

This rule is updated to comply with statutory changes to North Carolina General Statutes § 20-183.4, § 20-183.6 and to make style changes.

**19A NCAC 03D .0520 Mechanic requirements - Technical Changes**

This rule is updated to comply with statutory changes to North Carolina General Statutes § 20-183.4, § 20-183.6 and to make style changes.

**19A NCAC 03D .0521 Licensing Requirements - Technical Changes**

This rule is updated to comply with statutory changes to North Carolina General Statutes § 20-183.2, § 20-183.4 and to make style changes.

**19A NCAC 03D .0522 Denial, Suspension or Revocation of License - Technical Changes**

This rule is updated to comply with statutory changes to North Carolina General Statutes § 20-183.8, § 93B-8.1 and to make style changes.

**19A NCAC 03D .0523 Operations of Safety or Emissions Inspection Stations**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.4, and to make style changes.

**19A NCAC 03D .0525 Pre-Inspection Requirements**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.2 and to make style changes.

**19A NCAC 03D .0526 Safety Equipment Grading Items**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.2, § 20-183.4D and to make style changes.

**19A NCAC 03D .0527 Emission Controls Tampering Check**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.4D and to make style changes.

**19A NCAC 03D .0528 Safety Equipment Emission Inspections**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.2, § 20-183.4D.

**19A NCAC 03D .0529 Certification**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.4D; § 20-183.7 and to make style changes.

**19A NCAC 03D .0530 Disapproval**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.4D; § 20-183.5 and to make style changes.

**19A NCAC 03D .0531 Reinspection**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.3(c), § 20-183.7 and to make style changes.

**19A NCAC 03D .0532 Brakes**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.3(a)(1) and to make style changes.

**19A NCAC 03D .0533 Lights**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.3 and to make style changes.

**19A NCAC 03D .0534 Horn**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.3 and to make style changes.

**19A NCAC 03D .0535 Steering Mechanism**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.3(4) and to make style changes.

**19A NCAC 03D .0536 Windshield Wiper**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.3(a)(5).

**19A NCAC 03D .0537 Directional Signals**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.3(a)(6) and to make style changes.

**19A NCAC 03D .0538 Tires**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.3(a)(7) and to make style changes.

**19A NCAC 03D .0539 Tires - Definitions**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.3(a)(7) and to make style changes.

**19A NCAC 03D .0540 Rear View Mirrors**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.3(a)(8) and to make style changes

**19A NCAC 03D .0541 Exhaust Emission Controls**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-128, § 20-183.3(a)(9) and to make style changes

**19A NCAC 03D .0542 Emissions Control Device**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.8A(a)(2).

**19A NCAC 03D .0543 Inspection Procedure for Emissions Equipment**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.3 and to make style changes.

**19A NCAC 03D .0544 Safety Inspection of Motorcycles**

This rule is updated to comply style changes.

**19A NCAC 03D .0545 Investigation/Audits/ Safety or Emissions Inspection Station**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.8F and to make style changes.

**19A NCAC 03D .0550 Waivers from Emissions Test Requirements**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-183.5 and to make style changes

**19A NCAC 03D .0551 Window Tinting**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-127, § 20-183.7(a) and to make style changes.

**19A NCAC 03D .0552 Photometer Design and Performance Requirements**

This rule is updated to comply with statutory changes to North Carolina General Statute § 20-127, § 20-183.7(a) and to make style changes.