



## NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

**OAH USE ONLY**

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

- Notice **with** a scheduled hearing  
 Notice without a scheduled hearing  
 **Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.**  
Previous publication of text was published in Volume:                      Issue:

1. Rule-Making Agency: NC Division of Motor Vehicles

2. Link to agency website pursuant to G.S. 150B-19.1(c): <https://www.ncdot.gov/about-us/how-we-operate/policy-process/rules/Pages/default.aspx>

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

- ADOPTION:
- AMENDMENT: 19A NCAC 03D .0221, .0224, .0226, and .0526
- REPEAL:
- READOPTION **with** substantive changes:
- READOPTION **without** substantive changes: 19A NCAC 03D .0223, .0225, .0227, .0229, .0402-.0405, .0517-.0523, .0525, .0527-.0545, and .0550-.0552
- REPEAL through READOPTION: 19A NCAC 03D .0102

4. Proposed effective date: July 1, 2021

5. Is a public hearing planned?  Yes  No

If yes: Public Hearing date: Tuesday, April 20, 2021

Public Hearing time: 11:00 am

Public Hearing location: Register to attend and view the Virtual Meeting using a computer, tablet or smartphone:

<https://attendee.gotowebinar.com/register/550536879713916687> If no computer access, please call in to the meeting at 1-919-614-3221 then dial attendee access code: 285-498-279.

**6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:**

**7. Explain Reason For Proposed Rule(s):** 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 Subchapters 19A NCAC 03B, 03C, 03D, 03E, 03F, 03G, 03I, and 03J these proposed rules were determined as "Necessary With Substantive Public Interest" thus necessitating re-adoption.

Upon review for the re-adoption process, the agency deemed the following rules to be necessary without substantive changes and are recommended for re-adoption: 19A NCAC 03D .0223, .0225, .0227, .0229, .0402-.0405, .0517-.0523, .0525, .0527-.0545, and .0550-.0552.

Upon review for the re-adoption process, the agency deemed the following rule to be unnecessary and is recommending repeal: 19A NCAC 03D .0102.

Upon review for the re-adoption process, the agency deemed the following rules needing amendments: 19A NCAC 03D .0221, .0224, .0226, and .0526.

**8. Procedure for Subjecting a Proposed Rule to Legislative Review:** If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Rule(s) is automatically subject to legislative review. Cite statutory reference:

**9. The person to whom written comments may be submitted on the proposed rule(s):**

**Name:** Hannah D. Jernigan

**Address:** 1501 Mail Service Center

Raleigh, NC 27699-1501

**Phone (optional):**

**Fax (optional):**

**E-Mail (optional):** [Rulemaking@ncdot.gov](mailto:Rulemaking@ncdot.gov)

**10. Comment Period Ends: May 3, 2021**

**11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.**

- State funds affected
- Local funds affected
- Substantial economic impact ( $\geq$ \$1,000,000)
- Approved by OSBM
- No fiscal note required

**12. Rule-making Coordinator:** Hannah Jernigan

**Phone:** 919-707-2821

**E-Mail:** [Rulemaking@ncdot.gov](mailto:Rulemaking@ncdot.gov)

**Additional agency contact, if any:** Helen Landi

**Phone:** 919-707-2821

**13. The Agency formally proposed the text of this rule(s) on**  
**Date:** January 26, 2021

**14. Signature of Agency Head\* or Rule-making Coordinator:**



**E-mail:** Rulemaking@ncdot.gov

**Typed Name:** Hannah Jernigan

**Title:** APA Rulemaking Program Manager

*\*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.*