



**NORTH CAROLINA DEPARTMENT OF  
TRANSPORTATION  
DIVISION OF MOTOR VEHICLES  
LICENSE AND THEFT BUREAU**

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Safety Inspection  
Emissions Inspection  
Windshield Certificate Replacement Regulations  
Version 1.12 - August 1 2006



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# Introduction

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## **Purpose**

This manual is intended as a reference guide for persons concerned with vehicle safety inspections, emissions inspections, and windshield replacements. A copy of the section of Title 19A of the North Carolina Administrative Code which relates to vehicle inspections is included in the manual. The North Carolina General Statutes that govern the emissions program are also included. These references apply only to laws, statutes, and codes, which are in effect at the time of printing.

## **History**

The Motor Vehicle Act of 1937 established the authority and duties of the Commissioner of Motor Vehicles and the Division of Motor Vehicles. In G.S. 20-39 of the Motor Vehicle Act, the Commissioner is given the authority to promulgate rules. The Motor Vehicle Act established police authority for the Division of Motor Vehicles and allowed the Commissioner to designate division officers, inspectors/auditors and members of the Highway Patrol to enforce the provisions of the Article.

Effective October 1, 1994, the "Motor Vehicle Law of 1947" was repealed and the "Safety and Emissions Inspection Program" was substituted as the Heading for Article 3A. In 1999, Session Law 328, "An Act to Enact the Ambient Air Quality Act of 1999" strengthened the emissions program and provided for graduated emissions inspection requirements. In 2001, Session Law 504 allowed for increased fees for emissions inspections.

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**SECTION .0500 General Information  
Regarding Safety Inspection of Motor  
Vehicles**

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## **19A NCAC 03D .0501 GENERAL INFORMATION**

*History Note: Authority G. S. 20-1; 20-117.1(a); 20-122; 20-122.1; 20-123.1; 20-124; 20-125; 20-125.1; 20-126; 20-127; 20-128; 20-128.1; 20-129; 20-129.1; 20-130; 20-130.1; 20-130.2; 20-130.3; 20-131 through 20-134; 20-183.2; 20-183.3; 20-183.4; 20-183.5; 20-183.6; 20-183.7; 20-183.8;*

*Eff. July 1, 1978;*

*Amended Eff. March 1, 1982;*

*Repealed Eff. January 1, 1983.*

## **19A NCAC 03D .0502 COLLECTION OF ASSESSMENTS**

## **19A NCAC 03D .0503 WEIGHING VEHICLES WITH PORTABLE SCALES**

## **19A NCAC 03D .0504 RECIPROCITY AGREEMENTS**

## **19A NCAC 03D .0505 FORMS**

*History Note: Authority G.S. 20-1; 20-4.1 through 20-4.12; 20-49; 20-84.2; 20-91.1; 20-99; 20-118.1;*

*Eff. July 1, 1978;*

*Amended Eff. April 11, 1980;*

*Repealed Eff. February 1, 1982.*

## **19A NCAC 03D .0506 REQUIREMENTS FOR LICENSE**

## **19A NCAC 03D .0507 LICENSES ISSUED**

## **19A NCAC 03D .0508 DENIAL: SUSPENSION OR REVOCATION OF LICENSE**

## **19A NCAC 03D .0509 OPERATION OF SAFETY EQUIPMENT INSPECTION STATIONS**

## **19A NCAC 03D .0510 INSPECTION PROCEDURES**

## **19A NCAC 03D .0511 INSPECTION OF MOTORCYCLES: MOTOR SCOOTERS AND MOTOR BIKES**

## **19A NCAC 03D .0512 PROCEDURE FOLLOWING VEHICLE INSPECTION**

## **19A NCAC 03D .0513 INSPECTION CERTIFICATES ISSUED BY OTHER JURISDICTIONS**

## **19A NCAC 03D .0514 FORMS**

*History Note: Authority G.S. 20-1; 20-103.8; 20-117.1(a); 20-122; 20-122.1;  
20-123.1; 20-124; 20-125; 20-125.1; 20-126; 20-127; 20-128;  
20-128.1; 20-129; 20-129.1; 20-130; 20-130.1; 20-130.2;  
20-130.3; 20-131 through 20-134; 20-183.2; 20-183.3;  
20-183.4; 20-183.5; 20-183.6; 20-183.6(b); 20-183.7;  
20-183.8; 20-183.8(a); 20-183.8(b); 200-83.8(b);*

*Eff. March 1, 1982;*

*Repealed Eff. January 1, 1983.*

## **19A NCAC 03D .0515 SAFETY INSPECTION LICENSING AND PROCEDURES**

*History Note: Authority G.S. 20-1; 20-117.1(a); 20-122; 20-122.1; 20-123.1;  
20-124; 20-125; 20-125.1; 20-126; 20-127; 20-128; 20-128.1;  
20-129; 20-129.1; 20-130; 20-130.1; 20-130.2; 20-130.3;  
20-131 through 20-134; 20-183.2; 20-183.3; 20-183.4;  
20-183.5;*

20-183.6; 20-183.7; 20-183.8;

*Eff. January 1, 1983;*

*Amended Eff. July 1, 1992; October 1, 1991; October 1, 1989;  
November 1, 1988;*

*Repealed Eff. January 1, 1994 pursuant to 1991 S.L., c. 477,  
s. 3.*

## **19A NCAC 03D .0516 SAFETY INSPECTION LICENSING AND PROCEDURES**

*History Note: Filed as a Temporary Adoption Eff. April 25, 1994 for a period  
of 180 days or until the permanent rule becomes effective,  
whichever is sooner;*

*Authority G.S. 20-2; 20-39; 20-183.8;*

*Codifier of Rules Objected to the Findings of Need for the  
Temporary Rule*

*Eff. April 25, 1994;*

*Temporary Adoption Expired October 22, 1994.*

## 19A NCAC 03D .0517 DEFINITIONS

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

**Note:** All definitions contained below are not defined in administrative code: 19A NCAS 03D.0517

1. **Abbreviations:** Abbreviations used in these Rules shall have the following meanings:
  - **G.V.W.R.** - Gross Vehicle Weight Rating
  - **NOx** - Nitrogen Oxides
  - **OBD** - On Board Diagnostics
2. **Ambient Air:** That portion of the atmosphere surrounding human, animal and plant life.
3. **Authorized Station:** An established place of business duly licensed by the North Carolina Division of Motor Vehicles to conduct inspection of safety equipment, emissions, and air pollution control devices as required by the inspection laws.
4. **Base:** The place where a vehicle is most frequently dispatched from, garaged, serviced, maintained, operated or otherwise controlled. If any vehicle is located in or operated from a county participating in the safety emissions program continuously for a period of 30 days, said vehicle shall be considered based within said county.
5. **Certified Inspection Mechanic/Technician:** A person who has completed the required course(s), who has passed a written examination approved by the North Carolina Division of Motor Vehicles, and who has been issued an inspection mechanic/technician license by the Division of Motor Vehicles.  
G.S. 20-183.4



6. **Current Year Model:** The production period of new motor vehicles as designated by the manufacturer in the calendar year in which the period ends. If the manufacturer does not designate a production period, the model year shall mean the 12-month period beginning January of the year in which production began.
7. **Diagnostic:** Any number of on-board tests run by the Diagnostic Management System which checks for malfunctions, errors or breakdowns in vehicle systems or components.
8. **Diagnostic Equipment:** Tools or machines used to diagnose engine performance.
9. **Diagnostic Executive or Management System:** Power train Control Module (PCM) software responsible for performing testing of power train components and systems, recording testing results, and controlling the illumination of the lamps.
10. **Diagnostic Link Connector or Data Link Connector (DLC):** The DLC is the connector where diagnostic scan tools interface with the vehicle's on-board computer. Under On-Board Diagnostics, second generation (OBD II), the DLC is a standardized 16-cavity connector and has a standardized location.
11. **Diagnostic Trouble Codes (DTCs):** Codes associated with engine controller fault messages that identify emission control components that are malfunctioning and can be retrieved using a diagnostic scan tool.
12. **Drive Cycle:** A series of operating conditions that can operate all of the OBD monitors during a single driving event.
13. **Engine Control Module (ECM):** The on-board computer that controls fuel and emissions, as well as diagnostics, for the vehicle's engine management system.
14. **Emissions:** Gases and particles left over after the combustion event of an engine or from a fuel system. The primary emissions of concern are hydrocarbons (HC), carbon monoxide (CO), and oxides of nitrogen (NOx).
15. **Established Place of Business for Safety/Emissions Inspection:** A permanent structure owned either in fee or leased by a licensee, which has sufficient space to test and inspect one or more motor vehicles for which an inspection sticker is being sought and to accommodate the office or offices of an authorized station to provide a safe place for maintaining the records and stickers of such authorized station, and at which location the business shall be open during normal business hours to conduct safety inspections and emissions tests and make available to authorized agents of the Division of Motor Vehicles all records and required equipment for examination and testing. G.S. 20-183.4
16. **Exhaust Emissions Air:** Contaminants emitted into the atmosphere from any opening downstream from the exhaust parts of a motor vehicle engine.
17. **Federal Test Procedure (FTP):** A transient-speed mass emissions test conducted on a loaded dynamometer. This is the test, which, by law, car

manufacturers use to certify that new vehicles are in compliance for hydrocarbon, carbon monoxide, and oxides of nitrogen emissions and must be passed before that model may be sold in the U.S.

18. **Freeze Frame Operating:** Conditions which are stored in the memory of the PCM at the instant a DTC is stored and the MIL is illuminated, and is used by the mechanic/technician to aid in diagnosis and repair. A Freeze Frame is stored for only one DTC and can only be overwritten under certain conditions.
19. **Good Trip:** Trip counters in which various monitors have passed testing under predetermined conditions. The fulfillment of specific test parameters during a drive cycle. Good Trips are counted for MIL extinguishing and DTC erasure.
20. **Heavy Duty Motor Vehicle:** 20-4.01 A motor vehicle that is designed primarily for:
  - (a) The transportation of property and which is rated at more than 8,500 GVWR.
  - (b) The transportation of persons and which has a capacity of more than 12 persons.
  - (c) Use as a recreational motor vehicle that is rated at more than 8,500 GVWR.
  - (d) Use as an off-road utility vehicle.
  - (e) Or as designated by the manufacturer.
21. **Inspection:** The safety equipment or emissions inspection of motor vehicles required by G.S. 20, Article 3A, Part 2.
22. **Inspection Laws:** G.S. 20, Article 3A, Part 2 and rules duly adopted by the Commissioner of Motor Vehicles.
23. **Inspection/Maintenance (I/M):** A strategy to reduce emissions from in-use motor vehicles by identifying vehicles that need emission related maintenance and requiring that such maintenance be performed.
24. **Inspection Period:** The month during which the motor vehicle would normally be required to be inspected by G.S.20-183.4C.
25. **Inspection Sticker:** Sticker which when properly executed indicates that the vehicle to which it is attached has been inspected based on the county of registration and found to meet the requirements of the inspection laws. G.S. 20-183.4D
26. **License:** A license is a document issued by the Commissioner of Motor Vehicles, which is required for a person to operate a safety equipment or emissions inspection station. G.S. 20-4.01
27. **Light Meter/Window Tint Tester (optional):** Approved device used to test after factory window tinting. G.S. 20-183.3
28. **Light Duty Motor Vehicle:** G.S. 20-4.01 A motor vehicle that is designed primarily for transportation of property and which is rated at or less than 8,500 GVWR by the manufacturer; or Use in the transportation of persons and which has a capacity of 12 persons or fewer. Or as designated by the manufacturer.

29. **Malfunction Indicator Light (MIL):** The Instrument panel light used by the OBD II system to notify the vehicle operator of an emissions related fault. The MIL is also known as the “service engine soon” or “check engine” lamp
30. **Multi Purpose Vehicle:** A passenger vehicle that is designed to carry ten or fewer passengers and either is constructed on a truck chassis or has special features designed for occasional off road use, mini vans and pick-ups are considered multi passenger vehicles. G.S. 20-4.01
31. **Nitrogen Oxides:** A gas formed in great part from atmospheric nitrogen and oxygen when combustion occurs under high temperature and high pressure, as in an internal combustion engine.
32. **On-Board Diagnostics (OBD):** A program that assesses the condition of the emission system, including the sensors and the computer itself and communicates its findings to the mechanic/technician by means of diagnostics trouble codes.
33. **Passenger Vehicle:** A vehicle designed to transport passengers. G.S. 20-4.01
34. **Power Train Control Module (PCM):** The on-board control module that monitors engine functions or both engine and transmission/transaxle functions.
35. **Readiness Status:** After a vehicle is repaired or if the battery or PCM has been disconnected, the Readiness Status for each non-continuous diagnostic monitor must be reset. This means that the vehicle must be operated through a complete drive cycle.
36. **Recreational Motor Vehicle:** A vehicle that is designed primarily to provide temporary or permanent living quarters for travel, camping, or other recreational use. G.S. 20-4.01
37. **Registered Owner of a Vehicle:** The individual, group of individuals, partnership, firm, company, corporation, association, trust, estate, political subdivision, administrative agency, public or quasi-public corporation, or any other legal entity in whose name the license has been issued and whose name appears on the registration for such vehicle. G.S. 20-85.1
38. **Revocation:** The termination of a license issued by the Division of Motor Vehicles to all licensed inspection stations and mechanics/technicians. G.S. 20-183.8B
39. **Scan Tool:** A hand-held computer that is plugged into a vehicle’s data link connector allowing the mechanic/technician to read diagnostic trouble codes, readiness status, freeze frame data and other information.
40. **Section:** The License and Theft Bureau of the Division of Motor Vehicles. G.S 20-4
41. **Self-Inspector:** A person, firm or corporation so designated by the Commissioner for the purpose of inspecting only those vehicles owned or operated by such person, firm or corporation. G.S 20-183.4

- 42. **Standard:** A standard of performance adopted in these Rules and Regulations.
- 43. **Station:** A place of business legally licensed by the Commissioner of Motor Vehicles to conduct inspections of motor vehicles as required by the inspection laws. G.S 20-183.4
- 44. **Suspension of Licensed Inspection Station:** The temporary withdrawal of a license issued by the Division of Motor Vehicles to an inspection station for a definite period of time. G.S 20-183.8D
- 45. **Tampering:** Rendering inoperative, or the intentional maladjustment, removal or disconnection of any device installed on a motor vehicle designed or intended to control the amount of emissions from a vehicle. G.S 20-183.3
- 46. **Trip:** A key cycle (key ON, run, key OFF/power-down) where the enable criteria for a particular diagnostic are met and the diagnostic test runs.
- 47. **Waiver:** A document issued by the Commissioner of Motor Vehicles or their designated agent exempting a particular motor vehicle from the full requirements of the emission and safety inspection. G.S 20-183.5

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

*Authority G.S. 20-2; 20-39; 20-127; 20-183.2; 20-183.6(a); 20-183.7(a);*

*Eff. October 1, 1994;*

*Amended Eff. February 1, 1996.*

## 19A NCAC 03D .0518 LICENSING OF SAFETY OR EMISSIONS INSPECTION STATIONS

1. An application for licensing as a Safety Equipment or Safety Equipment Emissions Inspection Station shall be made on forms furnished by the Division of Motor Vehicles and filed with the License and Theft Bureau. Complete form LT-300.

**[Applications should be submitted through the local DMV Inspector/Auditor, who will forward them to the DMV Headquarters in Raleigh, N. C.]**

2. An applicant for licensing shall have:
  - (a) A specified area used primarily for repair of motor vehicles.
  - (b) At least 45 lineal feet of approximately level floor surface at least 10 feet wide when using a light chart for testing lights, or at least 25 lineal feet of approximately level floor surface at least 10 feet wide when using a light testing machine. Dirt floors are not acceptable.
  - (c) Sufficient area enclosed to permit a thorough inspection at all times regardless of weather conditions. Trailers may be inspected outside of the enclosed area as long as attached to prime mover.
  - (d) If a light chart is used to check lights, parallel lines at least 3 feet long painted on floor surface 25 feet from the chart.
  - (e) Service pits are acceptable as a designated inspection area however, the vehicle must be raised for the inspection to be performed.

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

*Eff. October 1, 1994.*

## 19A NCAC 03D .0519 STATIONS

1. Licensed stations shall keep the area where vehicles are inspected and the area where inspection records are kept as required by this DMV regulation manual. The area must be free of spills, debris, hazardous materials or obstructions that inhibit proper inspection of vehicles or present a safety hazard for Inspectors/Auditors of the Division. All vehicles shall remain in the inspection area during the entire inspection.
2. Licensed Stations with only a 25-foot lineal inspection lane shall not inspect trucks or other vehicles exceeding that length.
3. Licensed Stations with mechanical aimers shall not inspect vehicles with head lamps that were not manufactured to be aimed with this device. These head lamps were manufactured to be aimed with photoelectric eyes, wall charts, computerized headlight test equipment, or on-board headlight aiming devices.
4. Licensed Safety Stations shall not inspect vehicles which require an emission inspection. However, they are permitted to perform the original safety equipment inspections on new vehicles, vehicles with model years up to 1995, motorcycles, and trailers. Motor homes or house cars that are more than 10,000 pounds in gross weight must receive a safety inspection. G.S 20-183.2
  - All gasoline operated motor vehicles, 1996 and newer must be emission tested.
5. Each station must be equipped with the proper equipment and tools in order to perform inspections, which include but are not limited to the following: G.S. 20-183.4
  - (a) 1 jack or lift with minimum capacity of 2 tons
  - (b) 1 headlight tester to fit all headlights (mechanical, optical, or wall chart 1 with adapters).
  - (c) workbench
  - (d) 1 creeper
  - (e) 1 hand paper punch (round, ¼" cut)
  - (f) 1 tire tread depth gauge (calibrated in 32nds of an inch)
  - (g) 1 Emission Control System Application Manual (current edition) or current computerized electronic software
  - (h) 1 Emissions Analyzer with approved bar code scanner
  - (i) 1 approved OBD scan tool with approved bar code scanner
  - (j) 1 active dedicated telephone line with jack
  - (k) Light/Meter/Window Tint tester/(optional)

**[Items "h", "i" and "j" apply only to emissions inspection stations.]**

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

*Eff. October 1, 1994.*

## **19A NCAC 03D .0520 TECHNICIAN REQUIREMENTS**

1. An applicant and licensee shall certify that each mechanic/technician meets the requirements as set out in G.S. 20-183.4
2. At reasonable times, a certified inspection mechanic/technician may be required by authorized License and Theft emissions personnel to demonstrate proficiency and knowledge pertaining to the Safety/Emissions inspection requirements which include completion of an actual or simulated Safety/Emissions inspection in the presence of any such License and Theft emissions personnel.
3. A driver's license that is valid in North Carolina.

**[NOTE: An Out of State drivers license is acceptable if mechanic/technician resides within a commutable distance from place of employment]**

*History Note: Authority G.S. 20-2; 20-39; 20-183.4; 20-183.6A;  
Eff. October 1, 1994.*

## 19A NCAC 03D .0521 LICENSING REQUIREMENTS

1. No application shall be approved as a Safety Equipment or Safety Equipment Emissions inspection station or self-inspector shall be approved unless the requirements are met as set out in this Section.
2. To become a North Carolina Safety mechanic/technician, an individual must attend and pass an eight-hour Safety Inspection Course offered by a North Carolina Community College. An individual must pass a written examination with a score of no less than 80% correct answers. An additional eight-hour OBD Inspection course is required if the individual desires to be licensed as an OBD mechanic/technician. (Eight-hour course for exhaust emissions and an eight-hour course for OBD) This certification process requires that a person have the ability to read and write. No oral exams shall be given. The mechanic/technician's license is dictated by the station license, i.e., if a station is licensed for Safety/OBD, the mechanic/technician must be licensed for Safety/OBD. As enforced by the DMV, if one license expires the mechanic/technician will not be able to perform any of the two types of inspections.
3. Based upon the application and the results of investigations made, each applicant shall be approved or disapproved for licensing. Each applicant approved shall be notified furnished without charge the appropriate station license or inspection mechanic/technician license. Inspection station licenses shall be valid only for the place of business set forth in the application. Each inspection station shall notify the Division of the name and inspection license number of each inspection mechanic/technician the station employs prior to allowing the inspection mechanic/technician to perform any inspections at that station. The notice shall be on a form supplied by the Division and shall be endorsed by the station owner and the inspection mechanic/technician. The notice shall be submitted to the Division by personal delivery to the local Inspectors/Auditors of the Division or by registered or certified mail addressed to the Division's district office for the district in which the station is located. If any licensed inspection mechanic/technician leaves the employment of a safety or safety/emissions inspection station the inspection station shall notify the local Inspectors/Auditors of the Division in writing within three days after the inspection mechanic/technician's employment is terminated. An inspection mechanic/technician license shall be valid only for the person in whose name it is issued. Upon request, the inspection mechanic/technician shall present a valid driver's license to any Inspectors/Auditors of the Division who is conducting an audit of the mechanic/technician or the station at which the mechanic/technician is employed.

**[Inspection mechanic/technician must be certified by the local Inspectors/Auditors of the Division prior to performing inspections.]**



**A Certified Inspection Mechanic/Technician License is Valid For:**

- (a) A Safety license is valid for four (4) years.
  - (b) An Emissions license is valid for two (2) years. (OBD)
4. No Safety Inspection Station shall inspect any gasoline powered vehicle that is required to receive an emissions inspection. G.S. 20-183.2 Vehicles registered in a county participating in the emissions program but based and operated outside the county may be considered for an exemption from the emissions inspection. The exemption request forms may be obtained from the Division. Upon approval the Division shall issue an electronic exemption for the vehicle upon receipt of an exemption request form that is signed by the vehicle owner. A new exemption shall be requested and approved in accordance with this Rule for each inspection period. Safety Inspection stations may conduct the safety equipment inspection in the regular manner. Vehicles exempted from the emissions inspection because they are based outside of the county participating in the emissions program must have a copy of the approved exemption form in the vehicle at all times.

*History Note: Authority G.S. 20-2; 20-39; 20-183.3; 20-183.4;  
Eff. October 1, 1994.*

## **19A NCAC 03D .0522 DENIAL**

**Denial of License:** The Commissioner shall deny the application of any applicant for a Safety or OBD Inspection Station License who fails to meet the qualifications set out in G.S.20, Article 3A, Part 2, or the rules in this Section. Applicants disapproved for licensing shall be notified. An application received with fraudulent or fictitious information shall be denied. Persons who are denied a license shall be allowed a hearing in accordance with G.S. 20-183.8G.

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

*Eff. October 1, 1994.*

## 19A NCAC 03D .0522 SUSPENSION OR REVOICATION

1. Suspension or Revocation of Safety and Safety/Emissions License:  
(G.S. 20-183.8)
2. The license of any inspection station violating the Rules in this Section or G.S. 20, Article 3A, Part 2, shall be subject to suspension or revocation. The license of any inspection station shall be subject to suspension or revocation at any time when any of its personnel conducting inspections do not meet the rules in this Section. Any person, firm, or corporation whose license is suspended or revoked shall immediately surrender all unused inspection stickers to the Division of Motor Vehicles and no such licensee shall inspect vehicles while its license is suspended or revoked. Every licensee whose license is suspended or revoked or who is assessed a civil penalty or who receives a warning letter from the Division shall be allowed a hearing in accordance with G.S. 20-183.8G.
  - (a) Prior to the reinstatement of license of any Safety or Emissions Inspection Station which has, by order of the Commissioner, been revoked or suspended, the certified inspection mechanic/technician shall demonstrate to the satisfaction of the Commissioner or their duly authorized agent that its employees have adequate knowledge of the inspection procedures and requirements described in these rules in this Section and that the location is mechanically equipped to carry out proper inspections. Prior to the reinstatement of any inspection mechanic/technician license that has, by order of the Commissioner, been revoked or suspended, the applicant must attend required training courses applicable to their station. Proof of course attendance and passing a written test must be presented to a Division of Motor Vehicles representative.

**[Applicant is required to attend the full eight-hour initial class. If the mechanic/technician has a suspended or revoked license, the initial eight-hour class must be retaken.] G.S. 20-183.8B**
  - (b) Motorists assessed civil penalties or fines shall be allowed a hearing in accordance with G.S. 20-183.8G. Motorists requesting a hearing shall mail a written hearing request to 3130 Mail Service Center, Raleigh, NC 27699-3130.
  - (c) G.S. 20-183.8G(e) states:

“The Commissioner may conduct a hearing required under this section or may designate a person to conduct the hearing. When a person designated by the Commissioner holds a hearing and makes a decision, the person who requested the hearing has the right to request the Commissioner to review the decision. The procedure set by the Division governs the

review by the Commissioner of a decision made by a person designated by the Commissioner.”

The purpose of a review is to be certain that proper procedures were followed by the Division and to be certain that the evidence presented at hearing supports the violation alleged.

**The following procedure has been adopted by the Division to govern requests for a review by the Commissioner.**

1. The station or mechanic/technician will have ten days after service of the order to request a review by the Commissioner.
2. The request for review by the Commissioner must be in writing.
3. The station or mechanic/technician shall have thirty (30) days to submit any briefs, memoranda or other papers to be considered by the Commissioner. This 30 days shall commence when the Commissioner receives the request for the review.
4. No oral argument will be held before the Commissioner nor shall the Commissioner receive any additional evidence.
5. Upon completion of review, the Commissioner shall inform the station and/or mechanic/technician of the decision in writing.
6. This procedure shall be strictly followed by persons requesting a review and by the Division
7. The decision of the Commissioner shall be the final decision of the Commissioner.

*History Note: Authority G.S. 20-2; 20-39; 20-183.8D; 20-183.8G;  
Eff. October 1, 1994.*

## **19A NCAC 03D .0523 OPERATION OF SAFETY OR EMISSIONS INSPECTION STATIONS**

1. Posting information: G.S. 20-183.7B
2. Each station shall display in a conspicuous place the following:
  - (a) Official Safety Inspection Procedure Poster or both the Official Safety and OBD Inspection Procedure Posters, Fee Chart (maximum and minimum.)
  - (b) Safety Equipment or Safety Equipment Emissions Inspection Station License.
  - (c) All inspection mechanic/technician licenses issued by North Carolina Division of Motor Vehicles.
  - (d) On the outside of it's building or immediately adjacent thereto a sign in block letters at least four inches in height bearing the words: **OFFICIAL INSPECTION STATION.**

3. **Periodic Requirements for Licensed Inspection Mechanic/Technician.**

G.S. 20-183.4

At reasonable times, licensed inspection mechanic/technicians may be periodically required by authorized License and Theft Personnel to demonstrate knowledge pertaining to the Safety Inspection or Safety/Emissions inspections in the presence of any such authorized personnel.

4. **Location.** G.S. 20-183.4

Inspections shall be conducted only at the location shown on the inspection station's license and only in the designated inspection area. Stations may only inspect vehicles that the station has the equipment or facilities to inspect. Trailers may be inspected outside of inspection area as long as they are attached to the pulling unit.

5. **Vehicle presented to be inspected.** G.S. 20-183.3

Each station shall inspect any vehicle presented for inspection according to the year model, and type of engine except as provided in this section or when exempted from the safety or emissions inspection by a waiver issued by the Commissioner of Motor Vehicles or the designated agent.

6. **Repairs.** G.S. 20-183.3

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

**7. Hours of operation. G.S. 20-183.4**

**Each licensed public station must be open for at least eight normal business hours, five days per week.**

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

*Eff. October 1, 1994.*

## 19A NCAC 03D .0524 INSPECTION STICKERS

### 1. Acquisition

- (a) Licensed Safety Equipment or Safety Equipment Emissions inspection stations and self-inspectors shall procure stickers from the Local Tag Agency. Form (LT-328) must be completed for person(s) authorized to purchase stickers for each station. Please note: The person(s) authorized to purchase stickers for a station must be entered into the system at least 24 hours prior to the time the person(s) will be permitted to purchase stickers.
- (b) For safety equipment inspection stickers the amount of eighty-five cents (\$0.85) per sticker shall be required. For safety equipment emissions stickers, six dollars and fifty cents (\$6.50) per sticker shall be required. Orders for windshield stickers shall be placed in units of 50. Orders for motorcycle/trailer stickers shall be placed in units of ten. Safety Equipment or Safety Equipment Emissions Windshield Inspection Stickers shall be issued in books of 50.

**[Note: Emissions Inspection stickers will decrease \$0.25 on July 1, 2007. Each emissions sticker will cost \$6.25.]**

- (c) All licensed inspection stations shall keep inspection stickers on hand at all times.
- (d) Licensed inspection stations and self-inspectors shall, upon request, be furnished forms required to be used by the rules in this Section. License and Theft Bureau shall furnish forms to licensed inspection stations and self-inspectors.

### 2. Application G.S. 20-183.4D

- (a) The inspection sticker shall be affixed only to vehicles inspected and approved in accordance with these Rules and G.S. 20, Article 3A, Part 2. Stickers must be affixed to approved vehicles within the inspection area of the inspection station by the person conducting the inspection. The number on the sticker shall be recorded on the receipt and statement. No person shall furnish, give, lend, or sell to any owner or operator of a motor vehicle or to any other person, or place in or on any vehicle an inspection sticker unless such vehicle has been inspected and approved in accordance with these Rules and G.S. 20, Article 3A, Part 2.
- (b) When any motor vehicle to be inspected under the Safety Equipment Act bears a prior inspection sticker, such prior inspection sticker may not be removed from the vehicle until such vehicle has passed inspection, is approved, and is ready to have the new sticker affixed. If the vehicle being inspected is rejected, the old sticker is to remain affixed until the defects causing rejection have been corrected and the vehicle has been reinspected and approved. Every licensed inspection mechanic/technician upon approving any motor vehicle

shall remove the prior inspection sticker before affixing the new inspection sticker. G.S. 20-183.4



- (c) An inspection sticker shall be placed upon the approved vehicle on the inside of the windshield at the bottom of the left side so that the left edge of the sticker is no more than one inch from the left edge of the windshield. For vehicles without windshields the appropriate inspection sticker shall be used. The sticker shall be placed on the left side of the vehicle as near as possible to the front. Prior to affixing the windshield type sticker the inspection mechanic/technician shall punch out the appropriate month and year of expiration. The inspection mechanic/technician shall enter on the sticker in the appropriate spaces (on the back) the date of inspection, the odometer mileage as taken from the vehicle at the time inspection is performed, the inspection mechanic/technician's name, and the inspection station's license number. This information shall be entered on the windshield inspection sticker with a ballpoint pen or a laundry-marking pen. Glass/plastic windshields require a platform to prevent damage to the windshield. The inspection sticker shall be affixed to the platform; when the sticker is removed from the windshield it shall no longer be valid. G.S. 20-183.4
- (d) All Safety Equipment or Safety Equipment Emissions inspection stations shall be issued inspection stickers. The stickers shall be different colors (Safety sticker is black, yellow and white and the Emissions sticker is red, white and blue) and shall be affixed to the proper vehicle according to the type of inspection required. G.S. 20-183.4

**3. Sticker rule for emissions counties**

- (a) If the registration is current and the sticker is current, inspect the vehicle.
- (b) If the registration is expired, or there is no registration card, or no tag and the sticker is expired by more than four months, inspect the vehicle.
- (c) If there is no inspection sticker on the vehicle, contact your local DMV Inspector/Auditor to request the current compliance date of the sticker.
- (d) If the registration is expired and the sticker is expired by less than four months, do not inspect the vehicle. The consumer must renew the registration before the vehicle may be inspected.

**4. Control**

- (a) Licensed inspection stations and self-inspectors are strictly accountable for inspection stickers in their possession. Any licensed inspection station losing or not accounting for any inspection sticker shall be subject to revocation, suspension, civil penalty or both as provided by North Carolina General Statutes. **Stickers shall be secured** to guard against loss or theft. G.S. 20-183.8B
- (b) Upon discovery of a loss or theft of any inspection stickers, station owners and self-inspectors must as soon as practical report such loss

or theft to their Local Law Enforcement Agency and their DMV Inspector/Auditor.

- (c) Inspection stations and self-inspectors shall not furnish, give, loan or sell inspection stickers to any other licensed inspection station or self-inspector.
- (d) Inspection stickers shall not be transferred or reissued. They shall only be affixed to the vehicle as designated on the receipt and statement, and only when a complete inspection of the vehicle confirms it meets requirements for approval. G.S. 20-183.8C
- (e) No refund shall be allowed for stolen, damaged or lost stickers. The audit of the stickers conducted by the Division shall be accepted as final. All unused stickers must be accounted for. A refund shall be made for expired motorcycle/trailer stickers. A request for refund along with unused stickers must be requested through your DMV Inspector/Auditor. G.S. 20-183.8B
- (f) All inspection supplies, unused stickers, copies of receipts and statements pertaining to the issuance of stickers, all bulletins and all forms issued by the Division of Motor Vehicles pursuant to the carrying out of the Motor Vehicle Inspection Program are the property of the Division of Motor Vehicles and shall be treated as such by any inspection station. Upon suspension or revocation of any Safety Equipment or Safety Equipment Emissions inspection station license or whenever any licensee voluntarily surrenders such license or ceases to do business, all items held by such licensee in carrying out the inspection shall be surrendered to the Division of Motor Vehicles. Such items shall be inventoried by the designated agent of the Division of Motor Vehicles and shall be receipted upon surrender. Refunds for unused stickers shall be made by check from the Division of Motor Vehicles in Raleigh.  
G.S. 20-183.6A

#### **5. Requirement of records**

- (a) **Monthly report forms.** Each licensed safety equipment inspection station and each licensed safety equipment self-inspector shall maintain at the station a four-month inspection report form (furnished by the Division) listing the beginning and ending numbers for each series of stickers issued for vehicles inspected. A total of all defects and repairs and charges listed on the receipt and statements shall be recorded in the appropriate column of the monthly inspection report. This report shall be completed in duplicate and the original forwarded to the License and Theft Bureau, North Carolina Division of Motor Vehicles, on a four-month basis on or before the 10th of the month, following the month for which it was completed. The station for a period of at least 18 months shall retain the second copy. Reports are due January, May and September 10th for the previous four months. G.S. 20-183.7B

- (b) **Receipt and statement.** Licensed Safety Equipment or Safety Equipment Emission inspection stations shall furnish the operator of each vehicle inspected the original copy of the "Receipt and Statement" indicating that the vehicle has been inspected and indicating thereon the items approved or disapproved. The inspection station shall retain the second copy for at least 18 months following the inspection. The original and copy of the receipt statement must be legible. G.S. 20-183.4D
- (c) **Records available.** Each safety equipment or safety equipment emissions inspection station shall maintain records required and such records shall be made available for inspection by any law enforcement officer, upon demand, during normal business hours. G.S. 20-183.6A

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

*Eff. October 1, 1994.*

## 19A NCAC 03D .0525 PRE-INSPECTION REQUIREMENTS

Prior to performing an inspection, the inspection mechanic/technician shall:

1. Have all occupants leave the vehicle.
2. Require the operator to produce the current registration card to the vehicle.
3. Sticker Rule for Emissions Counties:
  - (a) If the registration is current and the sticker is current, inspect the vehicle.
  - (b) If the registration is expired, or there is no registration card, or no tag and the emission inspection sticker is expired by more than four months, inspect the vehicle.
  - (c) If there is no inspection sticker on the vehicle, contact your local DMV Inspector/Auditor to request the current compliance date of the sticker.
  - (d) If the registration is expired and the sticker is expired by less than four months, do not inspect the vehicle. The consumer must renew the registration before the vehicle may be inspected.
4. Check the vehicle for after factory window tint. G.S. 20-127(b)
5. On any documents **you must print or write legibly**, use a ball point pen, and list the license plate number, serial number, mileage, number of cylinders, make, year and other required information for the vehicle on the Receipt and Statement (Form No. LT 305) if the inspection is performed by the safety equipment inspection mechanic/technician. If the vehicle does not have a license plate, "none" shall be indicated. If inspected for a dealership, the dealer license number shall be indicated. G.S. 20-183.7B

**[Indicate dealer license number, not the dealer license plate number.]**

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

*Eff. October 1, 1994;*

*Codifier determined that agency did not meet criteria for temporary rule Eff. September 24, 1997;*

*Temporary Amendment Eff. November 1, 1997;*

*Amended Eff. August 1, 1998.*

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

1. The certified safety equipment inspection mechanic/technician shall approve or disapprove each inspected item. The following requirements shall apply:
  - (a) If the item inspected is approved, a check shall be placed in the appropriate block as indicated on the LT 305 form.
  - (b) If the item inspected is not approved, an "X" shall be placed in the appropriate block as indicated on the LT 305 form.
  - (c) If the disapproved item is corrected during inspection, the appropriate block in "corrected during inspection" shall be checked as indicated on the *LT 305* form.

*History Note: Authority G.S. 20-2; 20-39; 20-183.2; 20-183.4D; 20-183.6A;  
Eff. October 1, 1994.*

## 19A NCAC 03D .0527 EMISSIONS COMPONENTS TAMPERING CHECK

1. The certified Safety Equipment emissions inspection mechanic/ technician must approve or disapprove each inspected item. The following requirements as listed on the LT 305, which is the receipt and statement form, shall apply:

**[Checking a vehicle's emissions components is a part of both the safety and the emissions inspections.]**

- (a) **Not applicable:** This block shall be checked if the vehicle inspected was not originally equipped with the emissions control devices as listed.
- (b) **Connected:** This block shall be checked if the vehicle is equipped with the item and it is connected and in an operable condition.
- (c) **Disconnected:** This block shall be checked if the required emissions equipment has been disconnected, removed or made inoperable.
- (d) **Corrected:** This block shall be checked if the emissions equipment, which was disconnected or inoperable, is repaired or replaced.

*History Note: Authority G.S. 20-2; 20-39; 20-183.4D; 20-183.3;*

*Eff. October 1, 1994.*

## **19A NCAC 03D .0528 SAFETY/EMISSIONS EQUIPMENT INSPECTIONS RESULTS**

1. The safety/emissions equipment inspection mechanic/technician shall enter the following information:
  - (a) For those items that are inspected and approved, the letter "P" for passed shall be entered.
  - (b) For those items that are inspected and disapproved, the letter "F" for failed shall be entered.
  - (c) For those items that were disapproved and corrected, the letter "C" for corrected shall be entered.
  - (d) For those items which do not apply to the vehicle inspected, the letter "N" for not applicable shall be entered.

*History Note: Authority G.S. 20-2; 20-39; 20-183.2; 20-183.4D; 20-183.6A;  
Eff. October 1, 1994.*

## 19A NCAC 03D .0529 STICKER PROCEDURES

1. When the vehicle has been approved, the inspection mechanic/ technician shall:
  - (a) Prepare the appropriate sticker (safety equipment or safety equipment/emissions) for affixing to the vehicle.
  - (b) Remove the old inspection sticker from the windshield.
  - (c) Follow the instructions on the "Inspection Sticker" and **complete the information** on the back of the sticker.
  - (d) Place the "Inspection Sticker" on the inside of windshield at the bottom of the left side so that the edge of the sticker is no more than one inch from the left side of the windshield. Platforms are required for glass-plastic windshields.
  - (e) For vehicles without windshields, issue motorcycle/trailer stickers or non-windshield safety/emissions stickers. The sticker shall be placed on the left side of vehicle as near the front as possible.
  - (f) List the total inspection repair charges made, if any, on the "Receipt and Statement" form along with the serial number of the inspection sticker that was attached to the inspected vehicle (Safety Equipment Inspection Stations.)
  - (g) Collect fees as described in G.S. 20-183.7

Type [Maximum Fees Allowed]	Inspection	Sticker
Safety Only, Without After-Factory Tinted Window	\$8.25	\$0.85
Safety Only, With After-Factory Tinted Window	\$18.25	\$0.85
Emissions and Safety Without After-Factory Tinted Window	\$23.50	\$6.50
Emissions and Safety With After-Factory Tinted Window	\$33.50	\$6.50

- (h) Sign and give the original of the "Receipt and Statement" form to the operator or owner.

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

*Eff. October 1, 1994.*



## **19A NCAC 03D .0530 INSPECTION FAILURE**

If a vehicle inspected fails the inspection, the inspection mechanic/technician at the end of the inspection shall advise the owner or operator of the defect or defects found during the inspection. Repairs may only be made at the request of the owner/operator. Upon completion of authorized repairs, the inspection mechanic/technician shall follow the inspection process.

1. If the owner or operator requests the repairs to be made at some other location, then the inspection mechanic/technician conducting the inspection shall:
  - (a) Complete the "Receipt and Statement" showing the vehicle "failed" and the inspection mechanic/technician must sign the receipt. G.S. 20-183.7B
  - (b) Collect fee as prescribed in G.S. 20-183.7.
  - (c) After giving the owner or operator the original copy of the "Receipt and Statement" explain to the owner/operator he has 30 days to bring the vehicle back to the inspection station for one free reinspection at no charge when the vehicle has failed for either safety or emissions defects. G.S. 20-183.3

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

*Eff. October 1, 1994.*

## 19A NCAC 03D .0531 REINSPECTION

1. Payment of the inspection fee at the time of the original inspection by the owner or operator of a "failed" vehicle entitles the vehicle to one free reinspection, by the initial inspection station within 30 days from the initial inspection.
2. If the vehicle passes following reinspection, the inspection mechanic/technician shall check the appropriate block in the "Reinspected and Pass" column on the LT 305 form or reinspection prompt from the emissions equipment and indicate the date of reinspection. The mechanic/technician shall issue the correct "Inspection Sticker" and collect the sticker fee as prescribed in G.S. 20-183.7.

**[The correct inspection sticker would be considered the next sticker in numerical order.]**

3. Reinspection After Failure:

The scope of a reinspection of a vehicle that has been repaired after failing an inspection is the same as the original inspection unless the vehicle is presented for reinspection within 30 days of failing the original inspection. If the vehicle is presented for reinspection within this time limit and the item the vehicle failed was a safety item, the reinspection is limited to an inspection of the equipment that failed the original inspection. If the vehicle is presented for reinspection, the reinspection is limited to the portion of the inspection the vehicle failed and any other portion of the inspection that would be affected by repairs made to correct the failure.

*History Note: Authority G.S. 20-2; 20-39; 20-183.3©; 20-183.7;*

*Eff. October 1, 1994*

# **Inspection Procedure for Safety Equipment**

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**Note: G.S. 20-183.2(a1) If a vehicle is 35 model years or older, no safety inspection is required. This note is applicable to all Inspection Procedures for Safety Equipment.**

## **19A NCAC 03D .0532 BRAKES**

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

1. Foot brakes shall not be approved if:
  - (a) When applying brakes to moving vehicle, braking force is not distributed evenly to all wheels originally equipped with brakes by the manufacturer. (The inspection mechanic/technician must drive vehicle to perform this test. The inspection mechanic/technician may check the brakes while driving vehicle forward into the inspection area.)
  - (b) There is audible indication (metal on metal) that the brake lining is worn to the extent that it is no longer serviceable. (The wheel must be pulled and the brake lining examined when this occurs.)
  - (c) Pedal reserve is less than 1/3 of the total possible travel when the brakes are fully applied, or does not meet the manufacturer's specification for power brakes or air brakes.
  - (d) The reservoir of the master cylinder is not at normal operating level. (Only brake fluid meeting SAE specifications for heavy-duty hydraulic brake fluid shall be used when adding or changing brake fluid.)  
**[Reservoir filled according to the manufacturers specifications.]**
  - (e) There is a visible leakage or audible seepage in hydraulic, vacuum or air lines and cylinders, or visible cracked, chafed, worn, or weakened hoses.
  - (f) The vehicle has any part of the brake system removed or disconnected.
  - (g) The brake pedal moves slowly toward the toe-board (indicating fluid leakage) while pedal pressure is maintained for one minute.
2. Inspection mechanic/technicians are not expected to remove wheels in order to inspect the brakes. (Except as provided in item (1)(b) of this section.) Inspection mechanic/technician must raise vehicle to get beneath to check underside.
3. Handbrakes (auxiliary, parking or holding) shall not be approved if:
  - (a) There is no lever reserve when the brake is fully applied.
  - (b) Cables are visibly frayed or frozen, or there are missing or defective cotter pins or broken or missing retracting springs or worn rods or couplings.

- (c) The operating mechanism, when fully applied, fails to hold the brakes in the applied position without manual effort.
- (d) When emergency or handbrakes are applied they fail to hold vehicle.
- (e) Fails to release after set.

*History Note: Authority G.S. 20-2; 20-39; 20-183.3(1);  
Eff. October 1, 1994.*

## 19A NCAC 03D .0533 LIGHTS

1. Headlights shall not be approved if:
  - (a) There are not at least two head lamps (at least four on dual head lamp systems which require four units) on all self-propelled vehicles except motorcycles and motor driven cycles need only one.
  - (b) The lens produces other than a white or yellow light.
  - (c) Any lens is cracked, broken, discolored, missing, or rotated away from the proper position, or any reflector is not clean and bright.
  - (d) The high beam low beam dimmer switch does not operate properly or the high beam indicator light does not burn on vehicles manufactured after January 1, 1956.
  - (e) Lights can be moved easily by hand, due to a broken fender or loose support, or if the mounting does not make a good ground.
  - (f) Foreign materials (such as shields, half of lens painted, brush guards, etc.) are placed on the head lamp lens that interferes with light beam of lamp.
  - (g) Lights are improperly aimed using an approved light-testing device.
  - (h) Lights project a dazzling or glaring light when on low beam.
  - (i) Mechanical/wall chart aimer tolerance range is 4 inches up, down, left, and right. On board aimers tolerance is 8 degrees up, down, left and right. Optical aimers are either go or no go.
2. Rear Lights shall conform to the requirements of G.S. 20-129(d). Taillights shall not be approved if:
  - (a) All original equipped rear lamps or the equivalent are not in working order.
  - (b) The lens is cracked, discolored, or of a color other than red.
  - (c) License plate light must operate properly.  
**[If manufactured with more than one, all must operate properly.]**
  - (d) They are not securely mounted.
  - (e) The lens is clear and the bulb is colored.
  - (f) The lens is covered, smoke tinted, lettering or logos, etc.
3. Stoplights shall conform to the requirements of G.S. 20-129(g). Stoplight shall not be approved if:
  - (a) The lens is cracked, discolored or of a color other than red or amber.
  - (b) It does not come on when pressure is applied to foot brake.
  - (c) It is not securely mounted so as to project a light to the rear. If additional third brake light is installed, it must be operational at all times.

**[Includes third brake light if vehicle is so equipped. All diodes must illuminate.]**

4. Vehicles shall have the lights as required by G.S. 20-129(d) License plate lights must be white in color and illuminate tag to be read within 50 feet.
5. Parking lights shall conform to the requirements of G.S. 20-134. A vehicle shall not be approved if parking lights are not working. Parking lights front, white or amber, rear, red only.
6. Back-up lamps. Any motor vehicle may be equipped with not more than two back-up lamps either separately or in combination with other lamps but any such back-up lamp shall not be lighted when the motor vehicle is in a forward motion nor shall the back-up lamp emit any color other than white. A back-up lamp is not a mandatory requirement.
7. Amber warning lights on wreckers must be visible from all directions from 500 feet.

**[Do not disapprove any light if there is condensation on the lens. Disapprove if there is standing water inside a lens.]**

**Reflector: Not required equipment on passenger vehicles.**

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

*Eff. October 1, 1994.*



## **19A NCAC 03D .0534 HORN G.S. 20-125**

1. The horn shall not be approved if:
  - (a) It will not emit a sound audible for a distance of at least 200 feet, or it emits an unusually loud or harsh sound. Original equipment in working order will meet these requirements.
  - (b) It has frayed, broken, or missing wiring; if wiring harnesses are broken or missing; if horn button is not mounted securely and in a position which is easily accessible to the driver; or if the horn is not securely mounted to the motor vehicle.
  - (c) Operation of the horn interferes with the operation of any other mechanism.
2. Vehicles equipped with sirens shall not be approved unless they are within the class listed in G.S. 20-125(b) as being authorized to carry a siren.
3. Vehicles authorized to have sirens: Law Enforcement and Fire/Rescue; volunteer chief and assistant chief on personal vehicles.

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

*Eff. October 1, 1994.*

## 19A NCAC 03D .0535 STEERING MECHANISM

1. The inspection mechanic/technician must raise vehicle to get beneath to check steering mechanism.
2. The steering mechanism shall not be approved if:
  - (a) With front wheels in straight-ahead position there is more than three inches of free play in steering wheels up to 18 inches in diameter or more than four inches of free play in steering wheels over 18 inches in diameter. If vehicle is equipped with power steering, the engine must be operating.
  - (b) Either front or rear springs are noticeably sagging or broken, cut, heated or removed/missing.
  - (c) The front wheels or front-end assembly is bent or twisted or bolts, nuts or rivets are loose or missing.
  - (d) Power steering system shows visible leaks or the power steering belt is loose or worn or missing.
  - (e) Shocks and struts are part of the steering mechanism inspection.
  - (f) The CV joints make a popping or clicking noise when vehicle is driven into inspection area.

**[A torn, worn CV boot is not justification for failure]**

*History Note: Authority G.S. 20-2; 20-39; 20-123.1; 20-183.3(4)*

*Eff. October 1, 1994.*

## 19A NCAC 03D .0536 WINDSHIELD WIPER

1. Windshield wipers shall not be approved if:
  - (a) The vehicle is not equipped with a windshield wiper or wipers, provided the vehicle has a windshield.
  - (b) The wiper or wipers do not operate freely.
  - (c) The wiper controls are not so constructed and located that the driver may operate them.
  - (d) The wiper or wipers are not adequate to clean rain, snow and other matter from the windshield.
  - (e) Parts of blades or arms are missing or show evidence of damage.
  - (f) Windshields that are cracked and impedes wiper blade operation.

**[Wipers on rear windows are not part of the safety inspection.]**

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

*Eff. October 1, 1994.*

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

### **G.S. 20-125.1**

1. All vehicles subject to the annual safety inspection, must be equipped with turn signals. This does not apply to motorcycles.
2. Vehicles required to have signals shall be inspected and disapproved if:
  - (a) Signals are not present and of a type approved by the Commissioner. Original directional signals on vehicles manufactured after July 1, 1953, are considered to be of a type approved by the Commissioner. Such signals shall be those which will allow the operator of the vehicle to clearly show another operator approaching from a distance of 200 feet from the front or rear his intention to turn the vehicle.
  - (b) All lights do not operate properly, or if any lenses are broken, missing, or do not fit properly.
  - (c) Signal lens color is other than red or amber on the rear and other than white or amber on the front.
  - (d) Lamps are not securely mounted or wiring and connections are not in good condition.
  - (e) Signals are not visible from front or back due to faulty or damaged mounting or due to manner in which mounted.
  - (f) Switch is not so located as to be convenient for the driver to operate and so that its operation does not interfere with operation of other mechanisms.

**[Minor cracks on lenses shall not lead to disapproval unless water is likely to enter lens and lead to bulb failure.]**

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

*Eff. October 1, 1994.*

## **19A NCAC 03D .0538 TIRES G.S. 20-122.1**

1. A vehicle shall be disapproved if:
  - (a) Any tire has cuts or snags that expose the cords.
  - (b) Any tire has a visible bump, bulge, or knot apparently related to tread or sidewall separation or partial failure of the tire structure including bead area.
2. A tread depth gauge shall measure tire depth, which shall be of a type calibrated in thirty-seconds of an inch. Readings shall be taken in two adjacent tread grooves of the tire around the circumference of the tire. Readings for a tire with a tread design that does not have two major adjacent grooves shall be taken at the center of the tire around the circumference of the tire. Each tire must be completely lifted from the ground for an inspection to be performed.

**[Uniform bulges could be the results of manufacturers tire construction.]**

**[Dry rotted tires will not be approved.]**

## 19A NCAC 03D .0539 TIRE DEFINITIONS

1. As used in this and the preceding Rule, these terms have the following meaning:
  - (a) **Rim** is a metal support for the tire or tire and tube assembly on the wheel. Tire beads are seated on the rim.
  - (b) **Bead** is that part of the tire which is shaped to fit the rim. The bead is made of high tensile steel wires wrapped and reinforced by the plies.
  - (c) **Sidewall** is that portion of the tire between tread and bead.
  - (d) **Cord** is made from textile, steel wire strands forming the plies or other structure of the tires.
  - (e) **Ply** is layers of rubber coated parallel cords forming the tire body.
  - (f) **Rib** is the tread section running circumferentially around the tire.
  - (g) **Groove** is the space between two tread ribs. A tire shall not be approved if there is less than 2/32 inch tread at two or more locations around the circumference of the tire in two adjacent major tread grooves or if the tread wear indicators are in contact with the roadway at two or more locations around the circumference of the tire in two adjacent major tread grooves.

*History Note: Authority G.S. 20-2; 20-39; 20-122,1; 20-183.3(7);*

*Eff. October 1, 1994.*

## **19A NCAC 03D .0540 MIRRORS**

1. Mirrors shall not be approved if:
  - (a) Loosely mounted.
  - (b) Forward vision of the device is obstructed by mirror assembly.
  - (c) They do not provide a clear view of the highway to the rear.
  - (d) Cracked, broken, have sharp edges or cannot be cleaned such that rear vision is not obscured.
  - (e) They are very difficult to adjust or they will not maintain a set adjustment.
  - (f) Bus, truck or truck-tractor with a GVWR of 10,001 pounds or more is not equipped with a rear view mirror on each side.
  - (g) Vehicles manufactured, assembled, or first sold after January 1, 1966 are not equipped with outside rear view mirrors on the driver's side.
  - (h) All vehicles must have driver side outside mirror and inside rear view mirror with the exception of a truck. A truck must have both driver and passenger outside mirrors or driver side and rear inside mirror.

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

*Eff. October 1, 1994.*

## 19A NCAC 03D .0541 EXHAUST EMISSION CONTROLS

1. An exhaust emission shall not be approved if the vehicle is subject to a safety or safety emissions inspection and any of the visible emissions control devices placed thereon by the manufacturer are missing, disconnected, made inoperative or have been altered without approval of the Department of Environment, Health, and Natural Resources.
2. If a vehicle manufactured with an unleaded gas restrictor has been altered or removed a new or reconditioned catalytic converter and unleaded gas restrictor must be replaced before the vehicle passes inspection. (Some newer model vehicles are manufactured without unleaded gas restrictors).
3. An exhaust system shall not be approved if:
  - (a) The vehicle has no muffler.
  - (b) The muffler, exhaust or tail pipes have leaking joints.
  - (c) The exhaust or tail pipes have holes, leaking seams or leaking patches on muffler.
  - (d) The tail pipe end is pinched.
  - (e) The exhaust system is equipped with muffler cutout or muffler bypass.
  - (f) Any part of the system passes through the passenger compartment.

**[Many mufflers are manufactured with a seep hole. The presence of this hole does not constitute a failure.]**

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

*Eff. October 1, 1994*



## **19A NCAC 03D .0542 EMISSIONS CONTROL DEVICES**

A civil penalty shall be assessed against individuals who instruct or allow a person to remove, disconnect, tamper with, or render inoperable any emissions control device equipped by the manufacturer of any motor vehicle as described in G.S. 20-183.3.

1. These devices include:
  - (a) Catalytic Converter
  - (b) Unleaded Gas Restrictor
  - (c) Air Pump System
  - (d) EGR Systems
  - (e) PCV Systems
  - (f) Thermostatic air cleaner
  - (g) Evaporative Emission System (includes gas cap and fuel tank systems)
  - (h) Oxygen sensor

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

*Eff. October 1, 1994.*

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# **Inspection Procedure for Emissions Equipment**

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## 19A NCAC 03D .0541 EXHAUST EMISSION CONTROLS

1. Any vehicle shall not be approved if the vehicle is subject to inspection with any of the visible emissions control devices placed thereon by the manufacturer are missing, disconnected, made inoperative or have been altered without approval of the Department of Environment, Health, and Natural Resources.
2. If a vehicle manufactured with an unleaded gas restrictor has been altered or removed a new or reconditioned catalytic converter and unleaded gas restructure must be replaced before the vehicle passes inspection. (Some newer model vehicles are manufactured without unleaded gas restrictors).
3. An exhaust system shall not be approved if:
  - (a) The vehicle has no muffler.
  - (b) The muffler, exhaust or tail pipes have leaking joints.
  - (c) The exhaust or tail pipes have holes, leaking seams or leaking patches on muffler.
  - (d) The tail pipe end is pinched.
  - (e) The exhaust system is equipped with muffler cutout or muffler bypass.
  - (f) Any part of the system passes through the passenger compartment.

**[Many mufflers are manufactured with a seep hole. The presence of this hole does not constitute a failure.]**

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

*Eff. October 1, 1994*

## **19A NCAC 03D .0542 EMISSIONS CONTROL DEVICES**

A civil penalty shall be assessed against individuals who instruct or allow a person to remove, disconnect, tamper with, or render inoperable any emissions control device equipped by the manufacturer of any motor vehicle as described in G.S. 20-183.3.

1. These devices include:
  - (a) Catalytic Converter
  - (b) Unleaded Gas Restrictor
  - (c) Air Pump System
  - (d) EGR Valve
  - (e) PCV Valve
  - (f) Thermostatic air cleaner
  - (g) Evaporative Emission System (includes gas cap and fuel tank systems)
  - (h) Oxygen sensor

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

*Eff. October 1, 1994.*

## **19A NCAC 03D .0543 INSPECTION PROCEDURES FOR OBD EMISSIONS ANALYZER**

1. Vehicles to be OBD Tested Effective July 1, 2002:
  - July 1, 2002 inspect 1996 model year vehicles and newer
2. Vehicles which are purchased in a non OBD emissions county and which are to be based in an OBD emissions county, shall within 60 days of purchase, be reinspected in compliance with the Safety Equipment Emissions requirements. Out of state vehicles must comply within ten days of registration if subject to an OBD emissions inspection.
3. The following requirements shall be adhered to by the license inspection station for calibration of the exhaust emission analyzer(s) used for state inspections. The requirements are:
  - (a) Requirements for keeping and submitting records are as follows:  
(G.S. 20-183.7B)
    - (i) The copies of the "Receipt and Statement" must be retained for 18 months.
    - (ii) A download should occur after each safety/emissions inspection.
    - (iii) Station owner(s) shall maintain the printer in a condition so that all copies of the Vehicle Inspection Receipt/Statement are clear and legible.
    - (iv) Approved bar code scanners must be operable.

## INSPECTION PROCEDURES FOR OBD

**Note: A safety only inspection is required for model year vehicles of 1996 and newer that are gas operated with a GVWR of 8500 pounds and greater. These vehicles are exempt from the OBD inspection.**

Procedures for OBD emissions inspection shall be as follows:

1. Turn the ignition key to the "ON" position but do not start engine and check for Malfunction Indicator Light (MIL) illumination (illumination may be brief).
2. Turn the ignition switch to the "Off" position for at least 12 seconds.
3. Locate the Diagnostic Link Connector (DLC); connect the North Carolina Analyzer System's OBD link to the vehicle's Diagnostic Link Connector. If the Diagnostic Link Connector cannot be located, the test will be aborted.
4. Verify successful communication with the vehicle's OBD system.  
**Note: If successful communication cannot be established, after three attempts, the vehicle fails.**
5. Using the North Carolina Analyzer System, scan the vehicle's OBD system to obtain the status of the readiness monitors, Malfunction Indicator Light, and the presence of Diagnostic Trouble Codes (DTC).
6. A vehicle shall be Rejected from an OBD inspection if:
  - (a) The Diagnostic Link Connector can not be located and/or
  - (b) The number of supported readiness monitors set to "not completed" exceeds the maximum limits based on the vehicle's model year. (See note below)
  - (c) The North Carolina Analyzer System shall print out a special vehicle inspection receipt/statement (VIRS) listing the unset readiness codes and advising the motorist on how to proceed.
7. A vehicle shall Pass an OBD inspection if:
  - (a) The Malfunction Indicator Light bulb check status is ok and
  - (b) The Malfunction Indicator Light bulb is not "ON" with engine running and
  - (c) The Malfunction Indicator Light is not commanded on for any Diagnostic Trouble Code and
  - (d) The number of supported readiness monitors that are set to "not ready" does not exceed the maximum limits based on the vehicle's model year. (See note below)
8. A vehicle shall Fail an OBD inspection if:
  - (a) The Malfunction Indicator Light bulb check status is not ok and/or
  - (b) The Malfunction Indicator Light bulb is "ON" with engine running and/or



- (c) The Malfunction Indicator Light is commanded on for any Diagnostic Trouble Code and/or
- (d) The Diagnostic Link Connector has been damaged, tampered with or is otherwise inoperable.

**Note: For model years 1996-2000, a maximum of two (2) readiness monitors may be set to “not ready”. For model years 2001 and newer, a maximum of one (1) not completed readiness monitor is allowed.)**



# **Inspection Procedure for Motorcycles**

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## 19A NCAC 03D .0544 SAFETY INSPECTION OF MOTORCYCLES

1. Motorcycle brakes shall fail safety inspection if: (G.S. 20-124)
  - (a) When applying brakes to moving vehicle, there is insufficient force to stop the vehicle.
  - (b) Brakes are worn in such a manner that there is an uneven braking force.
  - (c) There is an audible or visual indication that the brake lining is worn to the extent it is no longer serviceable.
  - (d) There is less than one-third reserve in either foot brake or hand brake total possible travel when the brakes are fully applied.
  - (e) Reservoirs of braking cylinders are not full.  
**[Within manufacturers specifications.]**
  - (f) There is a visible leakage of fluid from any brake line or brake component.
  - (g) Hand brake/foot brake cables or linkages are frayed, broken, frozen or defective.
  - (h) Motorcycles are required to be equipped with one brake. (Hand brake or foot brake).
2. Motorcycle head lamps shall fail safety inspection if: (G.S. 20-129)
  - (a) Head lamp does not operate properly.
  - (b) There are more than two head lamps connected on a single switch.
  - (c) Head lamp is cracked or has holes that allow entry of water.
  - (d) There is standing water in the head lamp.
  - (e) Head lamp is out of proper aim.
  - (f) Motorcycle must have a minimum of one, maximum of two head lamps.
3. Motorcycle rear lamps shall fail safety inspection if: (G.S. 20-129)
  - (a) They do not operate.
  - (b) Light is a color other than red.
  - (c) Light is cracked, discolored or broken and allows entry of water.
  - (d) There is standing water in the lens.
  - (e) Lamp is not securely mounted.
  - (f) Wiring is broken or frayed.
4. A motorcycle stop lamp shall fail safety inspection if: (G.S. 20-129)
  - (a) Lamp does not operate when brakes are applied.
  - (b) Light is a color other than red or amber.
  - (c) Light is cracked, discolored or broken and allows entry of water.
  - (d) There is standing water in the lens.

- (e) Lamp is not securely mounted.
- (f) Wiring is broken or frayed.
- 5. A motorcycle license plate light shall fail safety inspection if: (G.S. 20-129)
  - (a) Light does not operate.
  - (b) Light does not illuminate the license plate.
  - (c) Light is a color other than white.
- 6. A motorcycle horn shall fail safety inspection if: (G.S. 20-125)
  - (a) The horn does not operate.
  - (b) The sound emitted is not audible at 200 feet.
  - (c) The horn is not securely mounted.
  - (d) The button is mounted so that it cannot be easily operated by the driver.
- 7. Motorcycle tires shall fail safety inspection if: (G.S. 20-122.1)
  - (a) There is less than two thirty-seconds of an inch of tread at two or more locations around the circumference of the tire in two adjacent major tread grooves, or if the tread wear indicators are in contact with the roadway at two or more locations around the circumference of the tire.
  - (b) Cords are exposed at any location on the tire.
  - (c) Sidewall is cut, bulging, damaged or is severely cracked due to dry rotting.
- 8. Motorcycle rear view mirrors shall fail safety inspection if: (G.S. 20-126)
  - (a) The mirrors are missing, broken, or cracked.
  - (b) The mirrors are not securely mounted.
  - (c) The mirrors will not hold a setting while vehicle is in operation.
- 9. A motorcycle exhaust system shall fail safety inspection if: (G.S. 20-128)
  - (a) The motorcycle has no muffler.
  - (b) The muffler, exhaust or tailpipe have holes, leaking joints, seams, or patches.
  - (c) The tailpipe end is pinched.
  - (d) The exhaust system is equipped with a muffler cut out or bypass.
  - (e) The muffler baffles have been removed or damaged to create a straight pipe.
- 10. A motorcycle steering mechanism shall fail safety inspection if: (G.S. 20-123.1)
  - (a) Front shocks are sagging or broken.
  - (b) Front-end assembly is bent or there is damaged or twisted bolts.
  - (c) Front-end nuts, bolts, or rivets are loose or missing.

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

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# **Additional Lighting Required on Certain Vehicles**

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## **ADDITIONAL LIGHTING REQUIREMENTS**

In addition to other equipment required in this chapter, the following vehicles shall be equipped as follows:

1. On every bus or truck, whatever its size, there shall be the following:
  - (a) On the rear, two (2) reflectors, one (1) at each side, and one (1) stop light.
2. On every bus or truck 80 inches or more in overall width, in addition to the requirements in paragraph 1:
  - (a) On the front, two (2) clearance lamps, one (1) at each side.
  - (b) On the rear, two (2) clearance lamps, one (1) at each side.
  - (c) On each side, two (2) side marker lamps, one (1) at or near the front and one (1) at or near the rear.
  - (d) On each side, two (2) reflectors, one (1) at or near the front and one (1) at or near the rear.
3. On every truck tractor:
  - (a) On the front, two (2) clearance lamps, one (1) at each side.
  - (b) On the rear, one (1) stop light.
4. On every trailer or semi trailer having a gross weight in excess of 4,000 pounds:
  - (a) On the front, two (2) clearance lamps, one (1) at each side.
  - (b) On each side, two (2) marker lamps, one (1) at or near the front and one (1) at or near the rear.
  - (c) On each side, two (2) reflectors, one (1) at or near the front and one (1) at or near the rear.
  - (d) On the rear, two (2) clearance lamps, one (1) at each side; also two (2) reflectors, one (1) at each side, and one (1) stop light.
5. On every pole trailer in excess of 4,000 pounds gross weight:
  - (a) On each side, one (1) side marker lamp and one (1) clearance lamp which may be in combination, to show to the front, side, and rear.
  - (b) On the rear of the pole trailer or load, two (2) reflectors, one (1) at each side.
6. On every trailer, semi trailer or pole trailer weighing 4,000 pounds gross or less:
  - (a) On the rear, two (2) reflectors, one (1) on each side. If any trailer or semi trailer is so loaded or is of such dimensions as to obscure the stop light on the towing vehicle, then such vehicle shall also be equipped with one (1) stop light.
  - (b) Front clearance lamps and those marker lamps and reflectors mounted on the front or on the side near the front of a vehicle shall display or reflect and amber color.

- (c) Rear clearance lamps and those marker lamps and reflectors mounted on the rear or on the sides near the rear of a vehicle shall display or reflect a red color.
- 7. Brake lights (and/or brake reflectors) on the rear of a motor vehicle shall be red. The light illuminating the license plate shall be white. All other lights shall be white, amber, yellow, clear or red.

# **Investigation/Audits Safety or Emissions Inspection Stations**

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## 19A NCAC 03D .0545 INVESTIGATION/AUDITS/ SAFETY OR EMISSIONS INSPECTION STATIONS

1. **OBD Scan Tool Inspection:** A DMV Inspector/Auditor shall verify the OBD scan tool is working properly with a working diagnostic link connector.
2. **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 law.
3. **Appropriate Action To Be Taken:** When it appears from any investigation that the inspection law has been violated by an inspection station or its agents or employees, or by a self-inspector, the Commissioner shall initiate the appropriate action which may include but is not limited to suspension or revocation of the station's license and mechanic/technician 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.
4. **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, civil or criminal action shall be taken by the Division of Motor Vehicles against the licensed station and the inspection mechanic/technician. G.S. 20-183.8
5. **Revocation, Suspension or Denial:** A person or station whose license is suspended or revoked, who is assessed a civil penalty, or receives a warning letter may obtain an administrative review of the action by the Commissioner by filing with the Division a written request for a hearing before the Commissioner. A request for a hearing must be filed within ten (10) days after the person receives written notice of the action for which a hearing is requested. If the action involves an emissions station the Commissioner must hold a hearing within fourteen (14) days of receiving the request. If the hearing is not related to an exhaust emissions violation, the Commissioner must hold a hearing within ninety (90) days after the request. G.S. 20-183.8G
6. When an authorized agent of the Division of Motor Vehicles License and Theft Bureau detects a violation, he shall immediately serve the LT 356 within 5 business days after the completion of the investigation that resulted in the discovery of the violation.

*History Note: Authority G.S. 20-2; 20-39; 20-183.6A; 20-183.8D;  
Eff. October 1, 1994.*



# Windshield Replacement

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## **19A NCAC 03D .0546 LICENSE TO REPLACE WINDSHIELD INSPECTION STICKERS**

Application for authority to replace windshield inspection stickers shall be made on forms furnished by the License and Theft Bureau of the North Carolina Division of Motor Vehicles and filed at the Motor Vehicles Building, 1100 New Bern Avenue, Raleigh, North Carolina, 27697. The applicant shall be engaged in the business of replacing windshields. G.S. 20-183.6

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

*Eff. October 1, 1994.*

## **19A NCAC 03D .0547 DENIAL/SUSPENSION OR REVOCAION OF A REGISTERED WINDSHIELD REPLACEMENT BUSINESS**

1. The Commissioner shall deny the application of any applicant for Replacement of Inspection Stickers Upon Replacement of Windshield for Station Registration who fails to meet the following qualifications:
  - (a) Permanent established place of business accessible to the Division of Motor Vehicles for audit of records.
  - (b) In the business of replacing windshields.
  - (c) Not currently under suspension or revocation as a Safety, Safety/OBD or Windshield Replacement Business.
2. The registration of any business authorized to replace windshield inspection stickers shall be subject to suspension or revocation for failure to comply with the North Carolina General Statutes or these Rules governing the issuing of replacement inspection stickers and the required reporting procedure.
3. Upon suspension or revocation of a registration, such business shall surrender all unused inspection stickers to the Division of Motor Vehicles.

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

*Eff. October 1, 1994.*

## 19A NCAC 03D .0548 OPERATION TO REPLACE WINDSHIELD INSPECTION STICKERS

1. The business may include a charge to its customer for a replaced windshield sticker of the actual amount paid to the Motor Vehicle Division for such sticker.
2. Inspection stickers:
  - (a) **Acquisition:**
    - (i) Inspection stickers are purchased at the Local Tag Agency. Inspection stickers are purchased in units of 50.
    - (ii) Inspection stickers are purchased by authorized persons who have been approved and entered into the DMV database. Upon approval of person(s) it takes a minimum of twenty-four (24) hours to update the database. Authorization forms (LT 328) are furnished by the DMV inspector/Auditor.
    - (iii) All businesses authorized to replace windshield inspection stickers shall keep a supply of inspection stickers on hand at all times.
  - (b) **Application of Sticker:** The inspection sticker shall be placed on the new windshield at the bottom of the left side so that the left edge of the sticker is no more than one inch from the left side of the windshield. Prior to affixing the inspection sticker the appropriate month and year the vehicle was previously inspected should be hole punched. The person placing this sticker on the new windshield shall enter on such sticker in the appropriate spaces the same date of inspection, odometer mileage and inspection station's registration number as that shown on the sticker attached to the windshield removed. At the space marked "Inspected By" the registration number assigned to the business replacing the windshield and the initials of the person affixing the sticker shall be entered. This information shall be entered on the sticker with a ballpoint pen or a laundry-marking pen. Glass/plastic windshields require a platform to prevent damage to the windshield. The inspection sticker shall be affixed to the platform. When the sticker is removed, it shall be self-voiding.
  - (c) **Control:** G.S. 20-183.8C
    - (i) All businesses authorized to replace windshield inspection stickers shall be held strictly accountable for inspection stickers in their possession. Any such business losing or not accounting for any inspection stickers shall be subject to revocation or suspension of their registration to replaced windshield inspection stickers. Stickers shall be locked in a safe place to guard against loss or theft.
    - (ii) Upon discovery of a loss or theft of any inspection stickers the person registered must as soon as practicable report such loss or theft to the License and Theft Bureau, Motor Vehicles Building, 1100 New Bern Avenue, Raleigh, North Carolina,

27697. Oral reports shall be made upon discovery of loss or theft by the quickest means available to the local DMV Inspector/Auditor.

- (iii) Businesses registered to replace windshield inspection stickers shall not furnish, give, loan or sell inspection stickers to any other registered business, inspection station, self-inspector or any other person.
  - (iv) Inspection stickers shall not be transferred or reissued. They may only be affixed to the vehicle as designated on the inspection report sheet and only when the windshield has been replaced by the person registered.
  - (v) Each registered business shall protect stickers from larceny or damage and no refund shall be allowed for stolen, soiled, lost or torn stickers and the count of the Division for returned stickers shall be accepted as final. An account must be made for all unused stickers. Refund shall be made for unused stickers upon termination of registration of such place of business.
  - (vi) All inspection supplies, unused stickers, copies of receipts and statements pertaining to the issuance of stickers, all bulletins and all forms issued by the Division of Motor Vehicles pursuant to the carrying out of this program are the property of the Division of Motor Vehicles and must be treated as such by the person registered. Upon suspension or revocation of any registration issued to a business to replace windshield inspection stickers or whenever any person registered voluntarily surrenders such registration or ceases to do business, all items held by such person registered in carrying out this program shall be surrendered to the Division of Motor Vehicles. Such items shall be inventoried by the designated agent of the Division of Motor Vehicles and shall be receipted upon surrender.
- (d) **Requirements and Records: G.S. 20-183.8C**
- (i) **Monthly report forms:** Each registered windshield replacement station shall maintain at the station a monthly report sheet listing the beginning and ending numbers for each series of stickers placed on windshields upon forms furnished by the Division. This report shall be completed in duplicate and the original forwarded to the License and Theft Bureau, North Carolina Division of Motor Vehicles, 1100 New Bern Avenue, Raleigh, NC 27697, every four-months on or before the 10th of the month following the month for which it was completed. The station for a period of at least 18 months shall retain the second copy. Reports are due January, May and September 10th for the previous four months. The second copy

shall be retained by the station for a period of at least 18 months.

- (ii) Registered businesses that replace windshield inspection stickers shall furnish the operator of each vehicle in which they have replaced a windshield and affixed an inspection sticker an authorized "Receipt and Statement". This form shall be made in duplicate, upon forms furnished by the Division of Motor Vehicles and a copy shall be retained by the person registered for a period of at least 18 months following the date the sticker is placed on the windshield.
- (iii) **Records available:** Each windshield replacement station shall maintain records required and such records shall be made available for inspection by any law enforcement officer, upon demand, during normal business hours. G.S. 20-183.6

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

*Eff. October 1, 1994.*

# **Emissions Waivers**

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## **19A NCAC 03D .0549 APPROVAL AND DISAPPROVAL OF VEHICLES**

Vehicles shall not be disapproved for any reason other than those specified in G.S. 20-183.5

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

*Eff. October 1, 1994;*

*Amended Eff. February 1, 1996*

## **19A NCAC 03D .0550 WAIVERS FROM EMISSIONS TEST REQUIREMENTS**

1. The Commissioner, or License and Theft Bureau employees who are designated by the Commissioner, may issue a written waiver from the applicable emissions test standards for any vehicle, if the waiver issuance criteria has been met.
2. An electronic waiver shall be issued upon request when all of the following criteria have been met to the satisfaction of the Commissioner or the designated License and Theft Bureau employee:
  - (a) The vehicle passed the safety portion of the inspection as shown by the vehicle inspection receipt completed by the licensed self-inspector or inspection station that performed the inspection.
  - (b) The vehicle failed the emissions portion of the inspection as shown by the vehicle inspection receipt completed by the licensed self-inspector or inspection station that performed the inspection.
  - (c) The vehicle is equipped with each emissions control device if such device was equipped on the vehicle by the manufacturer. If the unleaded gas restrictor has been removed or rendered inoperable, the catalytic converter must be replaced.
  - (d) Qualifying repairs have been completed on the vehicle within 45 days following the initial failed emissions inspection. Proof of repairs must be shown by itemized and dated receipts from the person or business that provided the repair service or parts. Receipts for parts shall name the part and not just the stock number. Qualifying repairs means repairs performed on a vehicle for the purpose of repairing the cause of the exhaust emissions inspection failure. The repairs must be appropriate to the cause of the test failure. A visual inspection of the vehicle shall be made by the designated License and Theft Bureau employee to determine if repairs were actually performed if, given the nature of the repair, this can be visually confirmed.
    - (i) For 1996 and later model year vehicles, qualifying repairs must be performed by a person who is professionally engaged in vehicle repairs or who is employed by a business whose purpose is vehicle repair or who possesses a certification from the National Institute For Automotive Service Excellence for emissions-related diagnosis and repair.
  - (e) The minimum repair expenditure applicable to the vehicle has been met by having qualifying repairs performed on the vehicle.
    - (i) For 1996 and later model year vehicles, the minimum repair expenditure is two hundred dollars (\$200.00), including parts and labor costs.
    - (ii) The cost of repairs to correct or replace emissions control devices that have been removed, disconnected or rendered

- inoperable shall not be applied toward the minimum repair expenditure for any vehicle, regardless of model year.
- (iii) The cost of diagnostic testing to determine whether the vehicle meets emissions standards shall not be applied toward the minimum repair expenditure.
  - (iv) Any available warranty coverage on the vehicle must be used to obtain the needed repairs before expenditures may be applied to the minimum repair expenditure.
  - (e) Vehicle owner has received a written denial of warranty coverage from the vehicle manufacturer or authorized dealer if the vehicle is within the statutory age and mileage coverage under the Federal Clean Air Act.
  - (f) After qualifying repairs have been completed and within 45 days after failing the initial emissions inspection, the vehicle failed another emissions inspection as shown by the vehicle inspection receipt completed by the licensed self-inspector or inspection station that performed the inspection.
  - (g) A waiver may be issued for a tampered or removed component if it can be verified the part in question or one similar to it is no longer available for sale. The local DMV Inspector/Auditor will determine if the part is not available or if it is no longer manufactured.
3. The vehicle owner or person authorized by the owner must request the waiver and present the vehicle and current registration sticker at the DMV Inspector/Auditor office that serves the county in which the vehicle is registered. The receipts and other documents required must be submitted to the designated DMV Inspector/Auditor at the time of the request for a waiver.
  4. The designated DMV Inspector/Auditor shall review the receipts and documents submitted in connection with the waiver request and shall make a visual inspection of the vehicle to verify that the criteria listed has been met. If the DMV Inspector/Auditor is satisfied that the waiver criteria has been met, the DMV Inspector/Auditor will issue an electronic waiver for the vehicle.

5. The vehicle owner or person authorized by the owner must present the electronic waiver to the licensed self-inspector or inspection station that performed the initial safety and emissions inspection. The self-inspector or inspection station shall reinspect the vehicle in accordance with G.S. 20-183.5 except for the emissions portion of the inspection. The waiver authorization number shown on the electronic waiver must be entered into the emissions equipment. If the vehicle meets all other requirements of the inspection, the self-inspector or inspection station shall affix a valid inspection sticker to the vehicle that shall expire at the same time it would if the vehicle had passed the emissions inspection.

**[An Emissions sticker shall be issued in case of an emissions waiver.]**

- (a) Each self-inspector and inspection station must maintain a copy of the waivers for vehicles inspected and approved by the station for at least 18 months in the same manner and under the same conditions as other inspection records which are required to be maintained pursuant to G.S. 20-183.6A.
- (i) Waivers shall not be issued for vehicles that are owned or being held for retail sale by a motor vehicle dealer, as defined in G.S. 20-286(11).

*History Note: Authority G.S. 20-2; 20-39; 20-183.5;*

*Eff. October 1, 1994.*

## **WAIVERS FROM SAFETY TEST REQUIREMENTS**

A waiver may be obtained when a vehicle fails a safety inspection because of missing emissions control devices by contacting a local DMV Inspector/Auditor of the Division.

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# Window Tinting

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## **19A NCAC 03D .0551 WINDOW TINTING**

1. All stations performing window tinting checks shall have a photometer that has been properly tested and approved by the Commissioner of Motor Vehicles. Stations that do not have an approved meter shall not inspect vehicles with applications of after-factory window tinting. Stations are not required to purchase a light meter in order to perform safety inspections on vehicles without after-factory window tinting.
  - (a) The mechanic/technician shall determine if the vehicle has after-factory window tinting prior to beginning the inspection. The mechanic/technician may use an automotive film check card or knowledge of window tinting techniques to determine if a vehicle has after-factory tint applied to any window of the vehicle.
  - (b) If a station determines a vehicle has after-factory window tinting, but does not have an approved light meter, the mechanic/technician must inform the customer he is unable to perform the inspection. The station may not charge for any portion of the inspection.
2. All windows with applications of after-factory window tinting shall be checked with the approved photometer.
3. Prior to performing a test on a vehicle, the mechanic/technician shall test the photometer for accuracy by checking the calibration against a reference sample of glass provided by the manufacturer. If the photometer indicates the device exceeds the net light transmission by + or - three (3) percentage points, the unit shall be considered out of calibration and may not be used until properly calibrated.
  - (a) The reference sample must be clean and free of dirt prior to performing the calibration check.
  - (b) If a reference sample has been broken or is missing, the test shall not be performed and the mechanic/technician shall inform the customer he is unable to perform the inspection.
  - (c) The windows to be tested shall be clean and free of dirt or moisture.
4. The test shall be performed according to the photometer manufacturer's recommendations.
5. Window tint shall fail safety inspection if:
  - (a) Any window on the vehicle with after-factory tint has a light transmittance of less than thirty-two percent (32%).
  - (b) The tint on any window is red, yellow or amber.
  - (c) The tint on the windshield extends more than five (5) inches below the top of the windshield or is below the AS1 line of the windshield, whichever is longer.
  - (d) All material used to tint a window(s) shall be non reflective and shall not be red, yellow or amber. After market tinting above the AS1 line must comply with G.S. 20-127(a)

6. Vehicles with after-factory window tint shall not be tested if they are a vehicle as classified in G.S. 20-127(a).
7. The mechanic/technician shall collect the fee as specified in G. S. 20-183.7(a) for performing the inspection.

**[All after market window tinting on a vehicle registered out of state must comply with NC window tinting laws, if inspected at a licensed NC inspection station.]**

**[All after market lettering on vehicle window(s) is illegal.]**

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

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

*Eff. February 1, 1996.*

# **Penalty Schedule for Licensed Safety Inspection Stations**

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## TYPE I SAFETY VIOLATIONS

### TYPE I SAFETY VIOLATION

	<b>Violation</b>	<b>Station</b>	<b>Mechanic</b>
20-183.7B(a)(1)	Put a safety inspection sticker on a vehicle without performing a safety inspection of the vehicle.	<b>1<sup>st</sup> or 2<sup>nd</sup> offense within three (3) years 180-day suspension \$250.00 penalty</b>  <b>3<sup>rd</sup> or subsequent offense within three (3) years 2-year suspension \$1,000.00 penalty</b>	<b>1<sup>st</sup> or 2<sup>nd</sup> offense within seven (7) years 180-day suspension \$100.00 penalty</b>  <b>3<sup>rd</sup> or subsequent offense within seven (7) years 2-year suspension \$250.00 penalty</b>
20-183.7B(a)(2)	Put a safety inspection sticker on a vehicle after performing a safety inspection of the vehicle and determining that the vehicle did not pass the inspection.		
20-183.7B(a)(3)	Allow a person who is not licensed as a safety inspection mechanic to perform a safety inspection for a self-inspector or at a safety inspection station.		
20-183.7B(a)(4)	Sell or otherwise give an inspection sticker to another, other than as the result of a vehicle inspection in which the vehicle passed the inspection.		
20-183.7B(a)(5)	Be unable to account for five or more inspection stickers at any one time upon the request of an officer of the Division.		
20-183.7B(a)(6)	Perform a safety-only inspection on a vehicle that is subject to both a safety and an emissions inspection.		
20-183.7B(a)(7)	Transfer an inspection sticker from one vehicle to another.		
20-183.7B(a)(8)	Conduct a safety inspection of a vehicle without driving the vehicle and without raising the vehicle and without opening the hood of the vehicle to check equipment located therein.		
20-183.7B(a)(9)	Solicit or accept anything of value to pass a vehicle other than as provided in this Part.		

## TYPE II SAFETY VIOLATIONS

### TYPE II SAFETY VIOLATION

	<b>Violation</b>	<b>Station</b>	<b>Mechanic</b>
20-183.7 B (b)(1)	Put a safety inspection sticker on a vehicle without driving the vehicle and checking the vehicle's braking reaction, foot brake pedal reserve, and steering free play.	<b>1<sup>st</sup> or 2<sup>nd</sup> offense within three (3) years</b> <b>Civil Penalty of \$100.00</b>  <b>3<sup>rd</sup> or subsequent offense within three (3) years</b> <b>90-day suspension</b> <b>Civil Penalty of \$250.00</b>	<b>1<sup>st</sup> or 2<sup>nd</sup> offense within seven (7) years</b> <b>Civil Penalty of \$50.00</b>  <b>3<sup>rd</sup> and subsequent offense within seven (7) years</b> <b>90-day suspension</b> <b>Civil Penalty of \$100.00</b>
20-183.7B (b)(2)	Put a safety inspection sticker on a vehicle without raising the vehicle to free each wheel and checking the vehicle's tires, brake lines, parking brake cables, wheel drums, exhaust system, and the emission equipment.		
20-183.7B (b)(3)	Put a safety inspection sticker on a vehicle without raising the hood and checking the master cylinder, horn mounting, power steering and emission equipment.		
20-183.7B (b)(4)	Conduct a safety inspection of a vehicle outside the designated inspection area.		
20-183.7B (b)(5)	Put a safety inspection sticker on a vehicle with inoperative equipment or with equipment that does not conform to the vehicle's original equipment or design specifications, or with equipment that is prohibited by any provision of law.		
20-183.7B (b)(6)	Put a safety inspection sticker on a vehicle without performing a visual inspection of the vehicle's exhaust system.		
20-183.7B (b)(7)	Put a safety inspection sticker on a vehicle without checking the exhaust system for leaks.		
20-183.7B (b)(8)	Put a safety inspection sticker on a vehicle that is required to have any of the following emission control devices but does not have the device: a. Catalytic Converter b. PCV valve c. Thermostatic air control d. Oxygen sensor e. Unleaded gas restrictor f. Gasoline tank cap g. Air injection system h. Evaporative emissions system i. Exhaust gas recirculation (EGR) valve		
20-183.7B (b)(9)	Put a safety inspection sticker on a vehicle after failing to inspect four or more of the following: a. Emergency Brake b. Horn c. Headlight high beam indicator d. Inside rearview mirror e. Outside rearview mirror f. <b>Turn signals</b> g. Parking lights h. Headlights operation and lens i. Headlights aim j. <b>Stoplights</b> k. Taillights l. License plate lights m. Windshield wiper n. Windshield wiper blades o. Window tint		
20-183.7B (b)(10)	Impose no fee for a safety inspection of a vehicle or the issuance of a safety inspection sticker or impose a fee for one of these actions in an amount that differs from the amount set in G.S. 20-183.7.		

## TYPE III SAFETY VIOLATIONS

### TYPE III SAFETY VIOLATION

	Violation	Station	Mechanic
20-183.7B (c)(1)	Fail to post a safety inspection license issued by the Division.	<b>1<sup>st</sup> or 2<sup>nd</sup> offense within seven (7) years Warning Letter</b>	<b>1<sup>st</sup> or 2<sup>nd</sup> offense within seven (7) years Warning Letter</b>
20-183.7B (c)(2)	Fail to send information on safety inspections to the Division at the time or in the form required by the Division.		
20-183.7B (c)(3)	Fail to post all safety information required by federal law and by the Division.	<b>3<sup>rd</sup> or subsequent offense within seven (7) years Civil penalty of \$25.00</b>	<b>3<sup>rd</sup> or subsequent offense within seven (7) years Civil penalty of \$25.00</b>
20-183.7B (c)(4)	Fail to put the required information on an inspection sticker or inspection receipt in a legible manner using ink.		
20-183.7B (c)(5)	Issue a receipt that is signed by a person other than the safety inspection mechanic.		
20-183.7B (c)(6)	Place an incorrect expiration date on an inspection sticker.		
20-183.7B (c)(7)	Put a safety inspection sticker on a on a vehicle after having failed to inspect three or fewer of the following items: a. Emergency brake b. Horn c. Headlight high beam indicator d. Inside rearview mirror e. Outside rearview mirror f. <b>Turn signals</b> g. Parking lights h. Headlights operation and lens i. Headlights aim j. <b>Stoplights</b> k. Taillights l. License plate lights m. Windshield wiper n. Windshield wiper blades o. Window tint		
20-183.7B(d)	Fail to obtain permission of the vehicle operator before making repairs.		
20-183.7B(d)	Fail to issue a receipt and statement to the vehicle operator.		
20-183.7B(d)	Failure to keep a supply of inspection stickers on hand in order to perform inspections.		

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**Penalty Schedule for Licensed Safety/  
Emission and Safety/Emission/OBD  
Inspection Stations G.S. 20-183.8**

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## TYPE I EMISSIONS VIOLATIONS

### TYPE I EMISSIONS VIOLATION

<input type="checkbox"/> 20-183.8C(a)(1)	Put an emissions inspection sticker on a vehicle without performing an emissions inspection of the vehicle.	<b>Station:</b> <input type="checkbox"/> 1 <sup>st</sup> & 2 <sup>nd</sup> <b>Offense:</b> \$250.00 6 month suspension	<b>Mechanic:</b> <input type="checkbox"/> 1 <sup>st</sup> & 2 <sup>nd</sup> <b>Offense:</b> \$100.00 6 month suspension
<input type="checkbox"/> 20-183.8C(a)(1a)	Put an emissions inspection sticker on a vehicle after performing an emissions inspection of the vehicle and determining that the vehicle did not pass the inspection.		
<input type="checkbox"/> 20-183.8C(a)(2)	Use a test-defeating strategy when conducting an emissions inspection, such as holding the accelerator pedal down slightly during an idle test, disconnecting or crimping a vacuum hose to effect a passing result, changing the emission standards for a vehicle by incorrectly entering the vehicle type or model year, or using data provided by on-board diagnostic (OBD) equipment of another vehicle to achieve a passing result.	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> 20-183.8C(a)(3)	Allow a person who is not licensed as an emissions inspection mechanic to perform an emissions inspection for a self-inspector or at an emissions station.	<input type="checkbox"/> 3 <sup>rd</sup> offense within three (3) years \$1,000.00 2 year Revocation	<input type="checkbox"/> 3 <sup>rd</sup> offense within (7) years \$250.00 2 year Revocation
<input type="checkbox"/> 20-183.8C(a)(4)	Sell or otherwise give an inspection sticker to another other than as the result of a vehicle inspection in which the vehicle passed the inspection or for which the vehicle received a waiver.		
<input type="checkbox"/> 20-183.8C(a)(5)	Be unable to account for five or more inspection stickers at any one time upon the request of an auditor of the Division.		
<input type="checkbox"/> 20-183.8C(a)(6)	Perform a safety-only inspection on a vehicle that is subject to both a safety and emissions inspection.		
<input type="checkbox"/> 20-183.8C(a)(7)	Transfer an inspection sticker from one vehicle to another.		

## TYPE II EMISSIONS VIOLATIONS

### TYPE II EMISSIONS VIOLATION

<input type="checkbox"/> 20-183.8C(b)(1)	Use the identification code of another to gain access to an emissions analyzer or to equipment to analyze data provided by on-board diagnostic (OBD) equipment.	<b>Station:</b> <input type="checkbox"/>	<b>Mechanic:</b> <input type="checkbox"/>
<input type="checkbox"/> 20-183.8C(b)(2)	Keep inspection stickers and other compliance documents in a manner that makes them easily accessible to individuals who are not inspection mechanics.	1 <sup>st</sup> & 2 <sup>nd</sup> Offense: \$100.00	1 <sup>st</sup> & 2 <sup>nd</sup> Offense \$50.00
<input type="checkbox"/> 20-183.8C(b)(3)	Put a safety inspections sticker or an emissions inspection sticker on a vehicle that is required to have one of the following emissions control devices but does not have it: <input type="checkbox"/> a. Catalytic Converter <input type="checkbox"/> b. PCV Valve <input type="checkbox"/> c. Thermostatic Air Control (TAC) <input type="checkbox"/> d. Oxygen (O2) Sensor <input type="checkbox"/> e. Unleaded Gas Restrictor (UGR) <input type="checkbox"/> f. Gasoline Tank Cap <input type="checkbox"/> g. Air Injection System (AIS) <input type="checkbox"/> h. Evaporative Emissions System (EVAP) <input type="checkbox"/> i. Exhaust Gas Recirculation Valve (EGR)	<input type="checkbox"/> 3 <sup>rd</sup> offense within three (3) years \$250.00 90 day Suspension	<input type="checkbox"/> 3 <sup>rd</sup> offense within (7) years \$100.00 90 day Suspension
<input type="checkbox"/> 20-183.8C(b)(4)	Put a safety inspections sticker or an emissions inspection sticker on a vehicle without performing a visual inspection of the vehicle's exhaust system and checking the exhaust system for leaks.		
<input type="checkbox"/> 20-183.8C(b)(5)	Impose no fee for an emissions inspection of a vehicle or the issuance of an emissions inspection sticker or impose a fee for one of these actions in an amount that differs from the amount set in GS 20-187.3		
<input type="checkbox"/> 20-183.8C(d)	Put an emissions inspection sticker on a vehicle after performing an emission inspection with the MIL (Message Indicator Light) bulb functioning improperly or MIL bulb remaining on.		

## TYPE III EMISSIONS VIOLATIONS

### TYPE III VIOLATION

		<b>Station:</b>	<b>Mechanic:</b>
<input type="checkbox"/> 20-183.8C(c)(1)	Fail to post an emissions license issued by the Division.	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> 20-183.8C(c)(2)	Fail to send information on emissions inspections to the Division at the time or in the form required by the Division.	1 <sup>st</sup> & 2 <sup>nd</sup> offense: Warning Letter	1 <sup>st</sup> & 2 <sup>nd</sup> offense: Warning Letter
<input type="checkbox"/> 20-183.8C(c)(3)	Fail to post emissions information required by federal law to be posted.	<input type="checkbox"/> 3 <sup>rd</sup> offense within three (3) years \$25.00	<input type="checkbox"/> 3 <sup>rd</sup> offense within (7) years \$25.00
<input type="checkbox"/> 20-183.8C(c)(4)	Fail to put the required information on an inspection sticker in a legible manner using ink.		
<input type="checkbox"/> 20-183.8C(c)(5)	Fail to put the required information on an inspection receipt in a legible manner.		
<input type="checkbox"/> 20-183.8C(c)(6)	Fail to maintain a maintenance log for an emissions analyzer or for equipment to analyze data provided by on-board diagnostic (OBD) equipment.		

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# Missing Emissions Stickers

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## **PENALTY FOR MISSING EMISSIONS STICKERS G.S. 20-183.8B**

1. **Missing Stickers:** The Division must assess a civil penalty against an emissions inspection station or an emissions self-inspector that cannot account for an emissions inspection sticker issued to it. A station or a self-inspector cannot account for a sticker when the sticker is missing and the station or self-inspector cannot establish reasonable grounds for believing the sticker was stolen or destroyed by fire or another accident.
  - (a) The amount of the penalty is twenty-five dollars (\$25.00) for each missing sticker. If the \$25 penalty per missing emissions sticker is imposed, this does not affect suspension or revocation of a station license.

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**Infractions and Criminal Offenses for  
Violations of Inspection Requirements  
G.S. 20-183.8**

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## INFRACTIONS AND CRIMINAL OFFENSES FOR VIOLATIONS OF INSPECTION REQUIREMENTS

1. **Infractions:** A person who does any of the following commits an infraction and, if found responsible, is liable for a penalty of up to fifty dollars (\$50.00):
  - (a) Operates a motor vehicle that is subject to inspection under this Part on a highway or public vehicular area in the State when the vehicle has not been inspected in accordance with this Part, as evidenced by the vehicle's lack of a current inspection sticker or otherwise.
  - (b) Allows an inspection sticker to be put on a vehicle owned or operated by that person, knowing that the vehicle was not inspected before the sticker was attached or was not inspected properly.
  - (c) Puts an inspection sticker on a vehicle, knowing or having reasonable grounds to know an inspection of the vehicle was not performed or was performed improperly. A person who is cited for a civil penalty under G.S. 20-183.8B for an emissions violation involving the inspection of a vehicle may not be charged with an infraction under this subdivision based on that same vehicle.
2. **Defenses to Infractions:** Any of the following is a defense to a violation under subsection (a) of this section:
  - (a) The vehicle was continuously out of State for at least the 30 days preceding the date the inspection sticker expired and a current inspection sticker was obtained within 10 days after the vehicle came back to the State.
  - (b) The vehicle displays a dealer license plate or a transporter plate, the dealer repossessed the vehicle or otherwise acquired the vehicle within the last 10 days, and the vehicle is being driven from its place of acquisition to the dealer's place of business or to an inspection station.
  - (c) Repealed by Session Laws 1997-29, s. 5.
  - (d) The charged infraction is described in subdivision (a)(1) of this section, the vehicle is subject to a safety-only inspection, and the vehicle owner establishes in court that the vehicle was inspected after the citation was issued and within 30 days of the expiration date of the inspection sticker that was on the vehicle when the citation was issued.
3. **Felony:** A person who does any of the following commits a Class I felony:
  - (a) Forges an inspection sticker.
  - (b) Buys, sells, or possesses a forged inspection sticker.
  - (c) Buys, sells, or possesses an inspection sticker other than as the result of either of the following:

- (i) **Having a license as an inspection station, a self-inspector, or an inspection mechanic/technician and obtaining the inspection sticker from the Division in the course of business.**

# **OBD Rollout Schedule**

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## SCHEDULE

<b>JULY 2002</b>	<b>JULY 2003</b>	<b>JANUARY 2004</b>	<b>JULY 2004</b>	<b>JANUARY 2005</b>	<b>JULY 2005</b>	<b>JANUARY 2006</b>
Cabarrus	Catawba	Alamance	Buncombe	Edgecombe	Burke	Brunswick
Durham	Cumberland	Chatham	Cleveland	Lenior	Caldwell	Carteret
Guilford	Davidson	Franklin	Granville	Nash	Haywood	Craven
Forsyth	Iredell	Lee	Harnett	Pitt	Henderson	New Hanover
Mecklenburg	Johnston	Lincoln	Rockingham	Robeson	Rutherford	Onslow
Orange	Rowan	Moore		Wayne	Stokes	
Wake		Randolph		Wilson	Surry	
Union		Stanley			Wilkes	
Gaston						

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# Forms

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# LT-300

LT-300 (REV.04/06)

**NORTH CAROLINA DIVISION OF MOTOR VEHICLES  
 LICENSE AND THEFT BUREAU**

**Safety Equipment/OBD Inspection  
 Windshield Replacement  
 Station Application**

1. **Complete Firm Name:** \_\_\_\_\_
2. **Address:** \_\_\_\_\_ **County:** \_\_\_\_\_ **Dist:** \_\_\_\_\_
3. **Telephone Number:** \_\_\_\_\_ **Fax Number:** \_\_\_\_\_
4. **Type of Station:**
  - Safety Equipment Inspection Station
  - Safety Equipment/OBD Inspection Station
  - Windshield Replacement Station
  - Capable of Lifting Heavy Duty Vehicles
5. **Inspection Type:**
  - Public
  - Self    Number of Vehicles Owned and Operated by Business \_\_\_\_\_
6. **Type of Business Operated:**
  - Repair Garage     Service Station     Dealer's Garage     Inspections Only
7. **If individually owned business or partnership, list name and residence address of owner or partners; if corporation, list name, residence address and title of each officer.**

NAME	D.L. NO.	ADDRESS	TITLE

8. **The following certifiable/certified technicians are of good character and have a good reputation for honesty, have adequate knowledge of the equipment requirements of the Motor Vehicle Laws of North Carolina, have a general knowledge of motor vehicles sufficient to recognize a mechanical condition which is not safe and will be able to satisfactorily conduct the mechanical inspection required by the Safety Equipment Inspection Act.**

NAME	D.L. NO.	ADDRESS
NAME	D.L. NO.	ADDRESS

Figure 1: Form LT-300 (page 1)

**LT-300** (page 2)


9. Have you or any member of the partnership or any officer of the corporation ever had a license under this law refused, suspended or revoked? Yes  No   
If so explain:

---

---

10. Have you, or any member of the partnership or any officer of the corporation ever been licensed as an inspection station? Yes  No   
If so, under what name?

---

I certify that, as an owner, partner or corporate officer named on the face of this application, I have authority to sign and submit this application; and that the statements contained therein are true and correct.

I further certify that I have read and am familiar with the laws and regulations governing this program and will comply with all lawful regulations of the North Carolina Division of Motor Vehicle. I affirm that I have adequate facilities as to space and equipment in order to check each of the items of safety and/or emissions equipment covered in the Safety Inspection Act.

\_\_\_\_\_  
FIRM NAME

By: \_\_\_\_\_  
PRINTED NAMED OWNER, PARTNER OR CORPORATE OFFICER

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
DATE

Figure 2: Form LT-300 (page 2)

# LT-310

LT-310 (Rev04/06)

## ACTION FORM FOR INSPECTOR /MECHANIC CERTIFICATION

NEW CHANGE DUPLICATE ADD EMPLOYER RENEWAL	ALSO EMPLOYED AT STATION # _____ _____ _____ _____			
<b>MECHANIC'S INFORMATION</b> <i>(Name must be as it appears on Driver License)</i>				
DRIVER LICENSE NUMBER _____	(HOME PHONE) _____	STATE _____		
LAST NAME _____	FIRST NAME _____	MIDDLE NAME _____		
MECHANIC ADDRESS _____	CITY/STATE _____	ZIP CODE _____		
RACE _____	SEX _____	DATE OF BIRTH _____		
<small>This authorizes any information related to the mechanic's attendance, grades or other records to be released to the NC Division of Motor Vehicles.</small>				
MECHANIC'S SIGNATURE _____		DATE _____		
<b>EMPLOYER INFORMATION</b>				
STATION NUMBER _____	PHONE NUMBER _____	COUNTY _____		
STATION NAME _____				
STATION ADDRESS _____				
CITY _____, NC	ZIP CODE _____			
<small>This is to certify the mechanic named in this application has a valid driver license and is of good character and has a good reputation for honesty, has adequate knowledge of the equipment requirements of the Motor Vehicle Laws of North Carolina, <i>has general knowledge of motor vehicles sufficient to recognize a mechanical condition which is not safe</i>, and will be able to satisfactorily conduct the mechanical and or emissions inspection as required by the safety inspection act.</small>				
BY <i>(Owner Partner or Officer)</i> _____		DATE _____		
<b>DO NOT WRITE IN THIS SECTION -- FOR OFFICIAL USE ONLY</b>				
SI INITIAL _____	SI RECERT _____	DATE ATTENDED COLLEGE _____	Test Version _____	Pass <input type="checkbox"/> Fail <input type="checkbox"/>
OBD II INITIAL _____	OBD II RECERT _____	DATE ATTENDED COLLEGE _____	Test Version _____	Pass <input type="checkbox"/> Fail <input type="checkbox"/>
COMMUNITY COLLEGE INSTRUCTOR – NAME OF COLLEGE _____			INST. NUMBER _____	
COMMUNITY COLLEGE INSTRUCTOR – NAME OF COLLEGE _____			INST. NUMBER _____	
CERTIFIED BY _____	NUMBER _____	CERTIFICATION DATE _____		

Figure 3: Form LT-310

# LT-328

LT-328 (Rev. 07/04)

**DMV LICENSE AND THEFT BUREAU  
3130 MAIL SERVICE CENTER  
RALEIGH, NORTH CAROLINA 27699- 3130**

**ACTION FORM FOR INDIVIDUALS RESPONSIBLE FOR PURCHASING INSPECTION STICKERS**

**STATION INFORMATION**

Station Name \_\_\_\_\_ Station Number \_\_\_\_\_

Station Address \_\_\_\_\_

City \_\_\_\_\_ NC Zip Code \_\_\_\_\_

**OWNER'S DECLARATION**

I \_\_\_\_\_ the owner, manager, partner or officer of the above station designate the following individuals who will be responsible for purchasing inspections stickers for the station listed above. I agree that these individuals will remain authorized to purchase inspections stickers until the Division of Motor Vehicles License and Theft Bureau has been notified in writing of any changes of authorization. As authorizing agent I understand I will be responsible for any loss or misuse of inspection stickers or any action arising out of the transportation from place of purchase to secured place of storage at station.

Date: \_\_\_\_\_ Signature \_\_\_\_\_

**PERSON(S) AUTHORIZED TO PICK UP INSPECTION STICKERS**

Name: \_\_\_\_\_ Date of Birth \_\_\_\_\_ Drivers License Number \_\_\_\_\_

Name: \_\_\_\_\_ Date of Birth \_\_\_\_\_ Drivers License Number \_\_\_\_\_

Name: \_\_\_\_\_ Date of Birth \_\_\_\_\_ Drivers License Number \_\_\_\_\_

Name: \_\_\_\_\_ Date of Birth \_\_\_\_\_ Drivers License Number \_\_\_\_\_

Figure 4: Form LT-328



# LT-355

LT-355 (REV. 07/06)

**North Carolina Department of Transportation  
Division of Motor Vehicles License and Theft Bureau**

**ACTION FORM FOR INDIVIDUALS RESPONSIBLE FOR DAY-TO-DAY STATION OPERATION**

NEW   
CHANGE

**STATION INFORMATION**

\_\_\_\_\_  
STATION NAME

\_\_\_\_\_  
STATION NUMBER

\_\_\_\_\_  
STATION ADDRESS

\_\_\_\_\_  
CITY

\_\_\_\_\_  
N. C.

\_\_\_\_\_  
ZIP

**DESIGNATED INDIVIDUAL'S INFORMATION**

*N. C. G. S. 20-183.4(b) Requires stations to designate an individual who is responsible for the day-to-day operation of the station. The designated individual must have good character and have a reputation for honesty.*

\_\_\_\_\_  
LAST NAME

\_\_\_\_\_  
FIRST NAME

\_\_\_\_\_  
MIDDLE NAME

\_\_\_\_\_  
DRIVER'S LICENSE NUMBER

\_\_\_\_\_  
STATE

\_\_\_\_\_  
SEX

\_\_\_\_\_  
DATE OF BIRTH

\_\_\_\_\_  
SIGNATURE OF DESIGNATED INDIVIDUAL

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DESIGNATED BY (Owner, Partner or Officer)

\_\_\_\_\_  
DATE

Figure 5: Form LT-355

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# Revision History

VERSION	DATE	CHANGES	TECH WRITER
1.12	08/07/2006	Updated LT-300, LT-310 and LT-355 per CHG000000028641.	TDG
1.11	05/02/2006	Made various changes requested from Program Mgt. and updated forms LT-300, LT-310, LT-328 and LT-355.	TDG
1.10	10/04/2005	Updated Forms LT-300 and LT-355.	TDG
1.09	05/05/05	- Added note to section "19A NCAS 03D.0532 BRAKES". - Added note to section "INSPECTION PROCEURES FOR OBD". - Removed "Service Enrollment Form" - Removed "Enrollment Form Instructions"	TDG
1.08	10/21/2004	Changed "Section 19.A NCAC 03D .0519 Stations #5" to include specific text about OBD. Added Revision History chapter.	TDG
1.07	02/01/2004	No previous revision history was captured.	TDG



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