

North Carolina
Administrative
Code 19A 03D
Section .0500

2021

Vehicle Inspections performed in the State of North Carolina shall adhere to North Carolina General Statute and Administrative Code. This booklet is prepared for use by all stakeholders seeking guidance regarding vehicle inspections. Inspection Technicians shall adhere to the guidelines in this manual and G.S. 20-183.3 while inspecting vehicles in this state.

Vehicle
Inspection
Guidance

SUBCHAPTER 03D - ENFORCEMENT SECTION

SECTION .0500 - GENERAL INFORMATION REGARDING SAFETY INSPECTION OF MOTOR VEHICLES

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Repealed Eff.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Repealed Eff.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

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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Repealed Eff.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Repealed Eff.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 and Article 3A of Chapter 20 of the North Carolina General Statutes, these words and phrases shall have the following meanings, except in those instances where the context indicates a different meaning:

- (1) Abbreviations used in these Rules shall have the following meanings:
 - (a) CO - Carbon monoxide;
 - (b) GVWR - Gross Vehicle Weight Rating;
 - (c) HC-Hydrocarbons;
 - (d) PSI - Pounds Per Square Inch;
 - (e) NOx - Nitrogen Oxides; and
 - (f) PPM - Parts Per Million.
- (2) Ambient Light: That portion of the atmosphere surrounding human, animal, and plant life.
- (3) Base: The place where a vehicle is dispatched from, garaged, serviced, maintained, operated, or otherwise controlled. If any vehicle is located in or operated from a county participating in the safety emission program for a period of 30 days, said vehicle shall be considered based within that county.
- (4) Certified Inspection Mechanic: A person who has completed the courses required by G.S. 20-183.4(c) and 20-183.4A, passed a written examination approved by the License and Theft Bureau, and been issued a safety inspection mechanic license or a safety and emission inspection mechanic license by the Bureau.
- (5) Crankcase Emissions: Air pollutants emitted into the atmosphere from any portion of the engine crankcase ventilation or lubrication system.
- (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 Equipment: Tools or machines used to diagnose engine performance.
- (8) Emission: The act of a motor vehicle emitting into the atmosphere any air pollutants including carbon monoxide, hydrocarbons, or nitrogen oxides.
- (9) Emissions Analyzer: An approved device used to evaluate the vehicle emission control system to ensure operation in accordance with the manufacturer's specifications that electronically records and transmits safety and emissions inspection data to the State. An approved device is considered a device that meets the certification requirements as defined by the Department of Environmental Quality Specifications for the North Carolina Analyzer found at <https://deq.nc.gov/about/divisions/air-quality/motor-vehicles-air-quality/inspection-maintenance-program/analyzer-vendor-information>.
- (10) Established Place of Business for Safety and Emissions Inspection: A permanent structure operated by a licensee that meets the requirements set forth in G.S. 120-183.4 to test and inspect motor vehicles and the offices of a licensed safety inspection or emissions inspection station that provides a locked place for maintaining records. The business shall be open during its business hours to conduct safety inspections and emissions tests and make available to License and Theft Bureau staff all records and required equipment for examination and testing.
- (11) Exhaust Emissions: Air pollutants emitted into the atmosphere from any opening downstream from the exhaust parts of a motor vehicle engine.
- (12) Heavy Duty Motor Vehicle: A motor vehicle which 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 which is rated at more than 8,500 GVWR; or
 - (d) use as an off-road utility vehicle.
- (13) Inspection: The safety inspection or emissions inspection of motor vehicles required by G.S. 20, Article 3A, Part 1 and Part 2.
- (14) Inspection Laws: G.S. 20, Article 3A, Part 1 and Part 2 and rules adopted by the Commissioner of Motor Vehicles.

- (15) 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.
- (16) Inspection Period: The period of time a motor vehicle is required to be inspected. To be a current inspection, a motor vehicle may be inspected up to ninety days prior to the last day of the month in which the registration on the vehicle expires pursuant to G.S. 20-183.4C. Motor vehicles not previously registered in this State shall be exempt for a period of 12 months.
- (17) License: In accordance with G.S. 20-183.4 and 20-183.4A, the license issued by the Commissioner of Motor Vehicles which is required for a person to operate a safety inspection or emission inspection station.
- (18) Light Duty Motor Vehicle: A motor vehicle which is designed primarily for:
 - (a) transportation of property and which is rated at or less than 8,500 GVWR by the manufacturer; or
 - (b) use in the transportation of persons and which has a capacity of 12 persons or fewer.
- (19) Light Transmittance Measuring Device or Light Meter, Unit, or Device: A photometer capable of measuring the net transmittance of a window or windshield for light at 560 nm with a variance of no more than 20 nm.
- (20) Motorcycle: A motor vehicle as defined under G.S. 20-4.01(22).
- (21) Multipiece Photometer: A photometer in which the light source and light detector are mechanically separate units that can be positioned on opposite sides of a fixed window or windshield.
- (22) Net Transmittance: The luminous transmittance over the 560 nm with a variance of 20 nm wavelength range, including the effects of Fresnel (surface) reflections.
- (23) Recreational Motor Vehicle: As set forth in G.S. 20-4.01(32b), A vehicle which is designed primarily to provide temporary or permanent living quarters for travel, camping, or other recreational use.
- (24) Revocation: In accordance with G.S. 20-183.7A, the termination of a license issued by the License and Theft Bureau to a safety inspection and emission inspection station.
- (25) Inspection Analyzer: A device used to evaluate, electronically record and transmit inspection data to the State. An approved device is considered a device that meets the certification requirements as defined by the License and Theft Bureau or the Department of Environmental Quality Specifications for the North Carolina Analyzer System. Certification requirements can be found on the Department of Environmental Quality's website at <https://deq.nc.gov/about/divisions/air-quality/motor-vehicles-air-quality/inspection-maintenance-program/analyzer-vendor-information>.
- (26) Section: The License and Theft Bureau of the Division of Motor Vehicles.
- (27) Self-Inspector: A person, firm or corporation licensed by the License and Theft Bureau for the purpose of inspecting only those vehicles owned or operated by such person, firm, or corporation.
- (28) Station: A place of business licensed by the Commissioner of Motor Vehicles to conduct inspections of motor vehicles as required by the inspection laws.
- (29) Suspension of Safety/Emission License: In accordance with G.S. 20-183.7A and Rule .0522 of this Section, the temporary withdrawal of a license issued by the Division of Motor Vehicles to a safety inspection and emission inspection station for a definite period of time.
- (30) Tampering: Rendering inoperative, or the intentional maladjustment of any device installed on a motor vehicle designed or intended to control the amount of emissions from a vehicle.
- (31) Waiver: A document issued by the Commissioner of Motor Vehicles or his designated agent exempting a particular motor vehicle from the requirements of the emission inspection.

History Note: Authority G.S. 20-2; 20-4.01(32b); 20-39; 20-183.2; 20-183.4; 20-183.4A; 20-183.5; 20-183.5A; 20-183.7A; 20-183.8A;
 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. July 1, 2010; February 1, 1996;
 Readopted Eff. September 1, 2021.

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

(a) 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 available at <https://connect.ncdot.gov/business/DMV/Pages/Inspection-Stations.aspx>. Form LT-300 requires the following:

- (1) inspection station name, address, county, and telephone number;
- (2) type of license required including public or self-inspection station and the number of vehicles operated by the business;
- (3) type of station;
- (4) type of business;
- (5) if individually owned business or partnership, applicants shall list name and residence address of owner or partners;
- (6) name of owner, corporation or partner;
- (7) owner, corporation or partner driver license number and address;
- (8) listing of certifiable or certified technicians with a valid driver license applying;
- (9) notification if any member of the partnership or officer of the corporation has ever had a license under this law refused, suspended, or revoked;
- (10) notification if any member of the partnership or officer of the corporation has ever been licensed as an inspection station;
- (11) signature of applicant;
- (12) designate an individual who is responsible for the day-to-day operation of the station; and
- (13) acknowledgement and signature of notary public.

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

- (1) an area used primarily for repair of motor vehicles;
- (2) a minimum of 45 lineal feet of level floor surface at least 10 feet wide when using a light chart for testing lights, or a minimum of 25 lineal feet of level floor surface a minimum of 10 feet wide when using a light testing machine. An inspection station shall not have dirt floors;
- (3) an area enclosed to permit an inspection at all times regardless of weather conditions. Trailers may be inspected outside of the enclosed area as long as attached to the prime mover;
- (4) if a light chart is used to check lights, there shall be parallel lines at least three feet long painted on the floor surface 25 feet from the chart; and
- (5) licensed inspection stations are not required to conduct inspections on equipment as required in Rule .0519 of this Section.

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

- (1) an area used primarily for repair of motorcycles;
- (2) an area enclosed to permit an inspection at all times regardless of weather conditions. An inspection station shall not have dirt floors; and
- (3) if a light chart is used to check lights, there shall be parallel lines at least 3 feet long painted on the floor surface 25 feet from the chart.

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

Eff. October 1, 1994;

Amended Eff. July 1, 2010;

Readopted Eff. September 1, 2021.

19A NCAC 03D .0519 STATIONS

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

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

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

(d) Stations not equipped with an emission analyzer shall not inspect 1996 or newer gasoline powered motor vehicles registered or based in counties designated as non-attainment for air quality standards by either the North

Carolina Department of Environmental Quality or U.S. Environmental Protection Agency. Stations may perform the safety equipment inspections on vehicles 1995 model year or older, diesel powered vehicles, motorcycles, trailers, and vehicles not previously titled.

(e) Each station shall have equipment and tools for carrying out inspections, which include the following:

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

(f) Each station inspecting only motorcycles shall have equipment and tools for carrying out inspections, which include the following:

- (1) one motorcycle jack or lift;
- (2) one headlight tester or aiming kit adapters to fit all headlights;
- (3) one workbench;
- (4) one tire tread depth gauge (calibrated in 32nds of an inch);
- (5) one Safety Inspection Analyzer with approved software by the North Carolina Department of Environmental Quality at <https://deq.nc.gov/about/divisions/air-quality/motor-vehicles-air-quality/inspection-maintenance-program/station-owner-inspector-information/software-versions>.
- (6) an active telephone line with jack or Internet access for Web Based stations.

History Note: Authority G.S. 20-2; 20-39; 20-183.4; 20-183.4A;
Eff. October 1, 1994;
Amended Eff. July 1, 2010;
Readopted Eff. September 1, 2021.

19A NCAC 03D .0520 MECHANIC REQUIREMENTS

(a) An applicant for an inspection mechanic license and the owner of the inspection station shall sign their names on Action Form for Inspector/Mechanical Certification (LT-310) demonstrating they meet the requirements as set out in G.S. 20-183.4(c) and 20-183.4A(c). Form LT-310 requires the following:

- (1) action requested to indicate new or renewal, adding an employer name, or changing an employer name;
- (2) mechanic's name, driver license number, home phone number, and address;
- (3) mechanic's race, sex, and date of birth;
- (4) mechanic's signature; and
- (5) employer information including station number, telephone number, county, name of station, address, and signature of owner partner or officer.

(b) Upon request by a law enforcement officer of the License and Theft Bureau, a licensed inspection mechanic shall demonstrate his or her knowledge, skills and abilities of the equipment used to perform an inspection, vehicle components, procedures, statutes and rules, pertaining to a safety and emissions inspection.

History Note: Authority G.S. 20-2; 20-39; 20-183.4; 20-183.4A(c); 20-183.6A;
Eff. October 1, 1994;
Readopted Eff. September 1, 2021.

19A NCAC 03D .0521 LICENSING REQUIREMENTS

(a) In order to be licensed as a North Carolina Safety Inspection Mechanic, an applicant shall meet the requirements set forth in G.S. 20-183.4(c). For purposes of G.S. 20-183.4(c)(1), the applicant shall complete the following:

- (1) attend and pass an eight-hour Safety Inspection Course offered by a North Carolina Community College; and
- (2) pass a written examination with a score of no less than 80 percent correct answers. No oral exams shall be allowed.

(b) An application for a safety inspection station or safety inspection mechanic license shall be approved or disapproved in accordance with G.S. 20-183.4, 20-183.4A, and 93-B-8.1. Each applicant approved shall be notified and furnished with the appropriate station license or inspection mechanic license. Inspection station licenses shall be valid only for the place of business set forth in the application.

(c) Each inspection station shall notify the License and Theft Bureau of the name and inspection license number of each inspection mechanic the station employs prior to allowing the inspection mechanic to perform any inspections at that station.

(d) The notice shall be on a form as outlined in Rule .0520 of this Section, supplied by the License and Theft Bureau, and shall be signed by the station owner and the inspection mechanic. If any licensed inspection mechanic leaves the employment of a safety equipment station, the inspection station shall notify the local License and Theft Bureau inspector within three days after the inspection mechanic's employment is terminated. An inspection mechanic license shall be valid only for the person in whose name it is issued.

(e) Pursuant to G.S. 143-215.107A, no Safety Inspection Station shall inspect any gasoline powered vehicle, excluding the three most recent model years with less than 70,000 miles, if the vehicle is registered or based in a county participating in the emission inspection program unless the station has an exhaust emission analyzer to conduct emissions inspections. Owners of vehicles registered in a county participating in the emission program but is based and operated outside the county may submit a request to the License and Theft Bureau for an exemption from the emission inspection. The request for an exemption shall contain confirmation that the vehicle for which the exemption is requested is registered in an emission inspection county, but is based and operated outside of the county in which it is registered. The License and Theft Bureau shall approve and issue a written exemption for the vehicle upon receipt of supporting documentation by the vehicle owner that shows the vehicle is based outside the registered county. A new exemption shall be requested and approved in accordance with this Rule for each inspection period. Safety Inspections stations may conduct the safety equipment inspection in lieu of a safety and emission inspection. Vehicles exempted from emission inspection because they are based outside of the county participating in the emission program shall have a copy of the approved exemption form in the vehicle at all times.

*History Note: Authority G.S. 20-2; 20-39; 20-183.4; 20-183.4A; 93-B-8.1;
Eff. October 1, 1994;
Readopted Eff. September 1, 2021.*

19A NCAC 03D .0522 DENIAL, SUSPENSION OR REVOCATION OF LICENSES

(a) Denial of License: The Commissioner of Motor Vehicles shall deny the application of any applicant for a Safety Equipment or Safety Equipment Emissions 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 denied licensing shall be notified. An applicant who submits fraudulent or fictitious information with the application shall be denied a license. Persons who are denied a license shall be allowed a hearing in accordance with G.S. 20-183.8G. For applications denied pursuant to G.S. 93B-8.1, technicians and stations who have been denied a license shall not re-apply for 12 calendar months from last denial.

(b) Suspension or Revocation of License:

- (1) The license of any inspection station shall be subject to suspension or revocation when it or any of its personnel conducting inspections violates the rules in this Section or G.S. 20, Article 3A, Part 2. Any person, firm, or corporation whose license is suspended or revoked shall not inspect vehicles while its license is suspended or revoked. Every licensee whose license is suspended or revoked or who is assessed a civil penalty pursuant to G.S. 20-183.7A and G.S. 20-183.8B or who receives a warning letter from the License and Theft Bureau shall be allowed a hearing in accordance with G.S. 20-183.8G.
- (2) Prior to the reinstatement of a license of any Safety Equipment or Safety Equipment Emissions Inspection Station License, which has, by order of the Commissioner of Motor Vehicles, been revoked or suspended, the applicant shall demonstrate to the Commissioner or License and Theft Bureau staff that its employees have knowledge of the safety equipment or safety equipment emission inspection procedures and requirements described in the Rules in this Section and that the location is mechanically equipped to carry out inspections.
- (3) Prior to the reinstatement of a Safety and Emission Inspection Mechanic License, he or she shall meet the requirements set forth in G.S. 20-183.7A(e) and G.S. 20-183.8B(e). Proof of course attendance and passing a written test as set forth in Rule .0521 of this Section shall be presented to License and Theft Bureau staff.

- (4) Motor vehicle owners assessed civil penalties or fines shall be allowed a hearing in accordance with G.S. 20-183.8G. Motor vehicle owners requesting a hearing shall mail a written hearing request to the Commissioner of Motor Vehicles, 3101 Mail Service Center, Raleigh, NC 27699-3101.

History Note: Authority G.S. 20-2; 20-39; 20-183.7A(e); 20-183.8B(e); 20-183.8D; 20-183.8G; 93B-8.1;
Eff. October 1, 1994;
Amended Eff. November 1, 2016;
Readopted Eff. September 1, 2021.

19A NCAC 03D .0523 OPERATION OF SAFETY OR EMISSIONS INSPECTIONS STATIONS

- (a) Safety or Emissions Inspection Stations shall post the following information:
 - (1) Official Safety Equipment or Safety Equipment Emissions Inspection Procedure Poster;
 - (2) Safety Equipment or Safety Equipment Emissions Inspection Station License, which shall be posted under a material that protects the information contained on the license from dirt and facing;
 - (3) Mechanic licenses report issued by the North Carolina Division of Motor Vehicles; and
 - (4) On the outside of its building or adjacent thereto, a sign in block letters at least four inches in height bearing the words: OFFICIAL INSPECTION STATION.
- (b) Requirements for Licensed Inspection Mechanic. Licensed inspection mechanics may be required by authorized law enforcement officers of the Division to demonstrate knowledge pertaining to the Safety Equipment or Safety Equipment Emissions inspections in the presence of any such authorized officer.
- (c) Location. Inspections shall be conducted only at the location shown on the inspection station's license and only in the designated inspection area. Trailers may be inspected outside of inspection area as long as they are attached to the engine unit.
- (d) Vehicle presented to be inspected. 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 emissions inspection by a waiver issued by the Commissioner of Motor Vehicles. Stations without the equipment required to inspect a motorcycle or a heavy duty vehicle are not required to conduct the inspection.
- (e) Repairs. The owner or operator of a vehicle that has failed inspection, may obtain the necessary repairs to pass an inspection at any place he or she chooses. Inspection stations shall not require unnecessary repairs or in any manner attempt to require owners or operators of disapproved vehicles to have a vehicle repaired at the inspection station. Permission must be obtained before making any repairs or adjustments.
- (f) Hours of operation. Except for State holidays, as set forth in 25 NCAC 01E .0901, each public station must be open for at least eight business hours, five days per week. Hours of operation must be posted outside of the business. A licensed inspection mechanic shall be on duty to conduct inspections during hours of operation.

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

19A NCAC 03D .0524 INSPECTION STICKERS

- (a) Acquisition:
 - (1) Licensed safety equipment or safety equipment exhaust emission inspection stations and self-inspectors shall procure stickers from the Division of Motor Vehicles and from no other source.
 - (2) Orders for stickers shall be placed with a local agent of the Enforcement Section. Requests for stickers shall be accompanied by proper remittance. For safety equipment inspection stickers, the amount of one dollar (\$1.00) per sticker shall be required. For safety equipment exhaust emission stickers, two dollars and forty cents (\$2.40) per sticker shall be required. Orders for windshield stickers shall be placed in units of 50. Orders for motorcycles/trailers and non-windshield safety equipment exhaust emission inspection stickers shall be placed in units of ten. Safety Equipment or Safety Equipment Exhaust Emission Windshield Inspection Stickers shall be issued in books of 50.
 - (3) Orders placed in person at the local office of the Enforcement Section shall be accompanied by written authorization from the station to which the stickers are to be issued, upon forms furnished by the Division, if the order is placed by other than the person in whose name the station is licensed.

- (4) All licensed stations shall keep inspection stickers and numeral inserts on hand at all times.
- (5) Licensed inspection stations and self-inspectors shall, upon request, be furnished forms required to be used by the rules in this Section. DMV Enforcement shall furnish forms to licensed inspection stations and self-inspectors.

(b) Application:

- (1) 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 of 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.
- (2) 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 upon approving any motor vehicle shall remove the prior inspection sticker before affixing the new inspection sticker.
- (3) 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 motorcycle/trailer or non-windshield safety equipment or safety equipment exhaust emission 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 shall attach to the sticker the appropriate numeral inserts indicating the month and year of expiration. The inspection mechanic shall enter on the sticker in the appropriate spaces the date of inspection, the odometer mileage as taken from the vehicle at the time inspection is performed, the inspection mechanic's name, and the inspection station's license number. This information shall be entered on the windshield type inspection sticker with a ball point 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. Prior to affixing the motorcycle/trailer or non-windshield safety/emission sticker the inspection mechanic must punch the inspection sticker with a 1/4 inch punch indicating the month inspection performed and year of expiration.
- (4) All safety equipment or safety equipment exhaust emission inspection stations shall be issued two types of stickers. The stickers shall be of different color and shall be affixed to the proper vehicle according to the type of inspection required.
- (5) The following tables indicate month and year of inspection:

Month Number Inserts:	Year Number Inserts:
1 vehicle inspected in January	95 vehicle inspected in 1994
2 vehicle inspected in February	96 vehicle inspected in 1995
3 vehicle inspected in March	97 vehicle inspected in 1996
4 vehicle inspected in April	98 vehicle inspected in 1997
5 vehicle inspected in May	99 vehicle inspected in 1998
6 vehicle inspected in June	00 vehicle inspected in 1999
7 vehicle inspected in July	01 vehicle inspected in 2000
8 vehicle inspected in August	02 vehicle inspected in 2001
9 vehicle inspected in September	03 vehicle inspected in 2002
10 vehicle inspected in October	04 vehicle inspected in 2003
11 vehicle inspected in November	05 vehicle inspected in 2004
12 vehicle inspected in December	06 vehicle inspected in 2005

(c) Control:

- (1) 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 or suspension of inspection station license as provided by these Rules. Stickers shall be locked in a safe place to guard against loss or theft.

- (2) Upon discovery of a loss or theft of any inspection stickers, station owners and self-inspectors must as soon as practicable report such loss or theft to the Enforcement Section, 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 Enforcement Section Inspector.
 - (3) Inspection stations and self-inspectors shall not furnish, give, loan or sell inspection stickers to any other licensed inspection station or self-inspector.
 - (4) 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.
 - (5) Each inspection station and self-inspector shall protect stickers from larceny or damage. 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. 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 mailed to the Enforcement Section, Division of Motor Vehicles, 1100 New Bern Avenue, Raleigh, North Carolina, 27697, between January 1st and January 31st of the following year. Refunds shall not be permitted for expired stickers postmarked after January 31st. Unused stickers for which a refund is not requested must be retained in a safe place until audited and destroyed by an agent of the Enforcement Section.
 - (6) 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 exhaust emission 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.
- (d) Requirement of records:
- (1) Monthly report forms. Each licensed safety equipment inspection station and each licensed safety equipment self-inspector shall maintain at the station a monthly inspection report sheet listing the beginning and ending numbers for each series of stickers issued for vehicles inspected upon forms furnished by the Division. 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 Enforcement Section, North Carolina Division of Motor Vehicles, monthly on or before the 10th of the month following the month for which it was completed. The second copy shall be retained by the station for a period of at least 18 months.
 - (2) Receipt and statement. Licensed Safety Equipment or Safety Equipment Exhaust 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 second copy shall be retained by the inspection station for at least 18 months following the inspection.
 - (3) Records available. Each safety equipment or safety equipment exhaust emission 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.

*History Note: Authority G.S. 20-2; 20-39; 20-183.6A;
Eff. October 1, 1994;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.*

Prior to performing an inspection, the inspection mechanic shall:

- (1) Have all occupants leave the vehicle;
- (2) Request that the operator produce the current registration card for the vehicle;
- (3) Enter applicable information in all data fields prompted by the analyzer or inspection program and as needed to conduct the classification of inspection, safety, or safety and emissions. The use of a one-dimensional bar-code scanner capable of reading vehicle identification numbers and information printed on vehicle registration shall be used for data entries to reduce errors. In the event the barcode on the registration card is not readable or the vehicle owner is unable to produce a registration card, the inspector mechanic shall enter the information by scanning the public vehicle identification number through the vehicle windshield or on the Federal Certification Label. If the vehicle identification number cannot be scanned through any of the methods listed in this Item, or if the station is not equipped with a bar code scanner, the inspector mechanic shall manually enter the VIN through keyboard entry. In instances where the vehicle does not have a license plate, "none" shall be entered in the field. If the inspected vehicle is owned by a dealership and part of the dealer's inventory, the dealer number, followed by a "D" shall be entered in the license plate field.

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; Readopted Eff. October 1, 2021.

19A NCAC 03D .0526 SAFETY EQUIPMENT, EMISSIONS INSPECTION, AND EMISSION CONTROLS TAMPERING EVALUATION

During the safety or safety and emissions inspection of a vehicle, the inspection mechanic shall enter the information set forth in this Rule into the analyzer or inspection program when evaluating the condition of each inspected item:

- (1) Safety and emission inspection grading:
 - (a) For those items that are inspected, approved, and in operational condition, the letter "P" for "passed" shall be placed in the appropriate block as indicated by the inspection analyzer.
 - (b) For those items that are inspected and not approved, the letter "F" for "failed" shall be placed in the appropriate block as indicated by the inspection analyzer.
 - (c) For those items that were not approved and corrected, the letter "C" for "corrected" shall be placed in the appropriate block as indicated by the inspection analyzer.
 - (d) For those items that do not apply to the vehicle inspected, the letter "N" for "not applicable" shall be placed in the appropriate block as indicated by the inspection analyzer.
- (2) Emission controls tamper check:
 - (a) For those vehicles inspected and not originally equipped with the emission control devices as listed, "Not Applicable" shall be indicated.
 - (b) For those vehicles equipped with the item, it is connected, and in operable condition, "Passed" shall be indicated.
 - (c) For those vehicles that the required emission control equipment has been disconnected, removed, made inoperable, or if emission component simulators are installed, "Failed" shall be indicated.
 - (d) For those vehicles that the emission equipment that was disconnected, removed, or inoperable is repaired or replaced, "Corrected" shall be indicated.

History Note: Authority G.S. 20-2; 20-39; 20-183.2; 20-183.4D; 20-183.6A; Eff. October 1, 1994; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018; Amended Eff. October 1, 2021.

19A NCAC 03D .0527 EXHAUST EMISSION CONTROLS TAMPERING CHECK
19A NCAC 03D .0528 SAFETY EQUIPMENT EXHAUST EMISSION INSPECTIONS

History Note: Authority G.S. 20-2; 20-39; 20-183.2; 20-183.4D; 20-183.6A;
Eff. October 1, 1994;
Repealed Eff. October 1, 2021.

19A NCAC 03D .0529 CERTIFICATION

When the vehicle receives a passing inspection result, the inspection mechanic shall:

- (1) finalize the inspection process in the analyzer or inspection program by entering all required data, then following the steps necessary to transmit the data to the State vehicle inspection database;
- (2) collect fees as described in G.S. 20-183.7; and
- (3) sign and give the original 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;
Readopted Eff. October 1, 2021.

19A NCAC 03D .0530 DISAPPROVAL

If a vehicle inspected is disapproved, the inspection mechanic at the end of the total inspection shall advise the owner or operator of the defect or defects found during the inspection. Repairs shall only be made at the request of the owner or operator. Upon completion of authorized repairs, the inspection mechanic shall require the owner or operator of the vehicle that gave approval for the repairs to sign the inspection receipt. If the owner or operator requests the repairs to be made at some other location, then the inspection mechanic conducting the inspection shall:

- (1) Provide the customer with the Vehicle Inspection Receipt and Statement signed by the inspection mechanic; showing the vehicle Failed.
- (2) Collect fees as prescribed in G.S. 20-183.7; and
- (3) After giving the owner or operator the original copy of the Vehicle Inspection Receipt and Statement explain to the owner or operator he or she has 60 days to bring the vehicle back to the inspection station for reinspection at no charge when the vehicle was disapproved for either safety or emissions defects.

History Note: Authority G.S. 20-2; 20-39; 20-183.4D; 20-183.5; 20-183.7;
Eff. October 1, 1994;
Readopted Eff. October 1, 2021.

19A NCAC 03D .0531 REINSPECTION

(a) A vehicle that is inspected at an inspection station and fails is entitled to be reinspected at the same station any time within 60 days of the failed inspection without paying another inspection fee.

(b) If the vehicle is approved following reinspection, the inspection mechanic shall check the appropriate block on the analyzer. The inspection mechanic shall collect the authorization fee as set forth in G.S. 20-183.7.

History Note: Authority G.S. 20-2; 20-39; 20-183.3(c); 20-183.7;
Eff. October 1, 1994;
Readopted Eff. October 1, 2021.

19A NCAC 03D .0532 BRAKES

No vehicle brakes shall be approved for an inspection 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) Footbrakes shall not be approved if:
 - (a) when applying brakes to the moving vehicle, the braking force is not distributed evenly to all wheels originally equipped with brakes by the manufacturer. The inspection mechanic must drive the vehicle to make this test. The inspector 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 one third 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 full; Only brake fluid meeting SAE specifications for heavy duty hydraulic brake fluid shall be used when adding or changing brake fluid.)
 - (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, the brake lines and hoses do not meet the manufacturer's specifications, or are made of a material not approved for motor vehicles; or
 - (g) once applied, and while holding pedal pressure for one minute, the brake pedal gradually moves toward the toeboard, indicating fluid leakage.
- (2) Except as provided in Sub-item (1)(b) of this Rule, inspection mechanics are not required to remove the wheels of a vehicle to examine the condition of the brakes. An inspection mechanic shall raise vehicles to check the underside of a vehicle, including the applicable brake components list in this Rule.
- (3) Auxiliary, parking, or holding handbrakes shall not be approved if:
- (a) there is no lever reserve when the brake is fully applied;
 - (b) cables are visibly frayed or frozen; there are missing or defective cotter pins; there are broken or missing retracting springs; or there are worn rods or couplings;
 - (c) the operating mechanism, when fully applied, fails to hold the brakes in the applied position without manual effort; and
 - (d) when emergency or handbrakes are applied, without depressing the accelerator, they fail to hold vehicle.

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

19A NCAC 03D .0533 LIGHTS

- (a) Headlights shall conform to the requirements of G.S. 20-129(b) and (c). Headlights shall not be approved if:
- (1) there are not at least two headlamps, or at least four on dual headlamp systems. Motorcycles and motor driven cycles need only one headlamp;
 - (2) the headlamp lens or light produces other than a white or yellow light;
 - (3) any lens or reflector is cracked, broken, discolored, or missing;
 - (4) the high beam-low beam dimmer switch does not operate or the high beam indicator light does not burn on vehicles manufactured after January 1, 1956;
 - (5) lights can be moved by hand, due to a broken fender or loose support, or if a good ground is not made by the mounting;
 - (6) foreign materials, such as shields or painted lenses, are placed on the headlamp lens that interferes with light beam of lamp;
 - (7) using a headlight testing device that meets Society of Automotive Engineers standards or light testing chart that is approved by the Division, lights are improperly aimed;
 - (8) lights project a dazzling or glaring light when on low beam as defined in G.S. 20-131(b); and
 - (9) the vehicle is equipped with headlamps that change the original design or performance of the headlamps; or do not comply with Federal Motor Vehicle Safety Standard No. 108, as adopted by the National Highway Traffic Safety Administration.
- (b) Rear Lights shall conform to the requirements of G.S. 20-129(d). Taillights shall not be approved if:
- (1) all original equipped rear lamps or the equivalent are not in working order;
 - (2) the lens is cracked or discolored, the lens or light projects a color other than red, or is covered by a foreign material, such as shields or painted lenses. Cracks on lenses shall not lead to disapproval unless water is likely to short out the bulb;
 - (3) they do not operate and project white light on the license plate; and

- (4) they are not mounted.
- (c) Stoplights shall conform to the requirements of G.S. 20-129(g). A stoplight shall not be approved if:
 - (1) the lens is cracked, discolored, or the lens or light projects a color other than red or amber, or is covered by a foreign material such as shields or painted lenses. Cracks on lenses shall not lead to disapproval unless water is likely to short out the bulb;
 - (2) it does not come on when pressure is applied to foot brake; and
 - (3) it is not mounted so as to project a light to the rear.
- (d) Vehicles shall have the lights as required by G.S. 20-129.1.
- (e) Parking lights shall conform to the requirements of G.S. 20-134. A vehicle shall not be approved if parking lights are not working or covered by a foreign material, such as shields or painted lenses.
- (f) A motor vehicle that was originally equipped with back-up lamps, lamps, must have those lamps maintained in operating condition. Backup lamps shall not be lighted when the motor vehicle is in a forward motion, nor shall the backup lamp emit any color other than white.

*History Note: Authority G.S. 20-2; 20-39; 20-131(a)(b); 20-183.3;
Eff. October 1, 1994;
Readopted Eff. October 1, 2021.*

19A NCAC 03D .0534 HORN

- (a) In addition to the requirements set forth in G.S. 20-125, the horn shall not be approved if:
 - (1) it will not emit a sound audible for a distance of at least 200 feet. Original equipment, operating as intended by the manufacturer, shall meet these requirements. Air horns shall not be substituted for original equipment.
 - (2) the wiring or wiring harness has been frayed, been damaged, is broken, or is missing wiring; the horn button is not mounted to the motor vehicle or is not positioned within the driver's reach; or
 - (3) operation of the horn interferes with the operation of any other mechanism.
- (b) 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.

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

19A NCAC 03D .0535 STEERING MECHANISM

- (a) The inspection mechanic must raise the vehicle to check the steering mechanism.
- (b) The steering mechanism shall not be approved if:
 - (1) 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 the vehicle is equipped with power steering, the engine must be operating;
 - (2) either front or rear springs are sagging or broken;
 - (3) the front wheels or front end assembly is loose, bent, or twisted; or bolts, nuts, or rivets are loose or missing;
 - (4) power steering system shows visible leaks or the power steering belt is loose or worn;
 - (5) vehicle frame or component of the steering mechanism is rusted to the point of mechanical failure; or
 - (6) shock or strut is leaking to the point of failure that will inhibit the steering of the vehicle.

*History Note: Authority G.S. 20-2; 20-39; 20-183.3(a)(4);
Eff. October 1, 1994;
Readopted Eff. October 1, 2021.*

19A NCAC 03D .0536 WINDSHIELD WIPER

Windshield wipers shall not be approved if:

- (1) the vehicle is not equipped with a windshield wiper or wipers, provided the vehicle has a windshield;
- (2) the wiper or wipers do not operate freely;

- (3) the wiper controls are not so constructed and located that the driver may operate them;
- (4) the wiper or wipers are not adequate to clean rain, snow, and other matter from the windshield; and
- (5) parts of blades or arms are missing or show evidence of damage.

*History Note: Authority G.S. 20-2; 20-39; 20-183.3(a)(5);
Eff. October 1, 1994;
Readopted Eff. October 1, 2021.*

19A NCAC 03D .0537 DIRECTIONAL SIGNALS

Vehicles required to have directional signals pursuant to G.S. 20-125.1, which does not include motorcycles, shall be disapproved if:

- (1) The vehicle is not equipped with signals by which the operator of the vehicle may indicate to other motorists approaching from a distance of 200 feet from the front or rear the operator's intentions to turn the vehicle;
- (2) all lights do not operate or if any lenses are broken, missing, or do not fit;
- (3) signal lens or light color is other than red or amber on the rear and other than white or amber on the front, and is covered by a foreign material, such as shields and painted lenses;
- (4) lamps are not mounted or wiring and connections are not working;
- (5) signals are not visible from front or back due to faulty or damaged mounting or due to the manner in which mounted; or
- (6) switch does not operate as designed by the manufacturer or is not located in a position that allows the operator to reach and operate the switch, or the switch that interferes with the operation of other mechanisms.

*History Note: Authority G.S. 20-2; 20-39; 20-183.3(a)(6);
Eff. October 1, 1994;
Readopted Eff. October 1, 2021.*

19A NCAC 03D .0538 TIRES

(a) A vehicle shall be disapproved if:

- (1) any tire has cuts or snags that expose the cords;
- (2) any tire has a visible bump, bulge, or knot related to tread or sidewall separation or partial failure of the tire structure including bead area; or
- (3) 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.

(b) Tire depth shall be measured by a tread depth gauge which shall be of a type calibrated in thirty-seconds of an inch. Readings for a tire with a tread design that does not have two adjacent grooves near the center 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.

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

19A NCAC 03D .0539 TIRES - DEFINITIONS

As used in this and Rule .0538 of this Section, these terms have the following meanings:

- (1) "Bead" is that part of the tire that is shaped to fit the rim. The bead is made of high tensile steel wires wrapped and reinforced by the plies.
- (2) "Cord" is made from textile, steel wire strands forming the plies or other structure of the tires.
- (3) "Groove" is the space between two tread ribs.
- (4) "Ply" is layers of rubber coated parallel cords forming the tire body.
- (5) "Rib" is the tread section running circumferentially around the tire.
- (6) "Rim" is a metal support for the tire or tire and tube assembly on the wheel. Tire beads are seated on the rim.

- (7) "Sidewall" is that portion of the tire between tread and bead.

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

19A NCAC 03D .0540 REAR VIEW MIRRORS

Rear view mirrors shall not be approved if:

- (1) There is any movement between the attachment bracket and the windshield;
- (2) Forward vision of the device is obstructed by mirror assembly;
- (3) They do not provide a view of the highway to the rear;
- (4) They are cracked, broken, have sharp edges or cannot be cleaned such that rear vision is not obscured;
- (5) They cannot be adjusted or will not maintain a set adjustment;
- (6) Bus, truck, or truck-tractor with a GVWR of 10,001 pounds or more is not equipped with a rear vision mirror on each side. If a vehicle is configured in such a way that the inside mirror is obstructed, a passenger side outside mirror is required; or
- (7) Vehicles manufactured, assembled, or first sold after January 1, 1966 are not equipped with outside rear view mirrors on the driver's side. The passenger's outside rear view mirror is not required equipment on passenger vehicles if an inside rear view mirror is present.

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

19A NCAC 03D .0541 EXHAUST EMISSION CONTROLS

(a) An exhaust emission shall not be approved if the vehicle is a 1968-year model or newer and any of the visible emission control devices placed thereon by the manufacturer are missing, disconnected, made inoperative, or as set forth in G.S. 20-128(d) have been altered without approval of the Department of Environmental Quality.

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

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

- (1) the vehicle has no muffler or other exhaust system of the type installed at the time of manufacture or does not operate as designed by the vehicle manufacturer;
- (2) the muffler, exhaust, or tail pipes have leaking joints;
- (3) the exhaust or tail pipes have holes, leaking seams, or leaking patches on muffler;
- (4) the tail pipe end is pinched;
- (5) the exhaust system is equipped with muffler cut-out or muffler by-pass; or
- (6) any part of the system passes through the passenger compartment.

*History Note: Authority G.S. 20-2; 20-39; 20-128; 20-183.3(a)(9);
Eff. October 1, 1994;
Readopted Eff. October 1, 2021.*

19A NCAC 03D .0542 EMISSIONS CONTROL DEVICE

Pursuant to G.S. 20-183.8A(a)(2), 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. These devices include:

- (1) Catalytic converter;
- (2) Unleaded gas restrictor;
- (3) Air pump system;
- (4) EGR valve;
- (5) PCV valve;
- (6) Thermostatic air cleaner;
- (7) Evaporative emission system; and

- (8) Oxygen sensor.

History Note: Authority G.S. 20-2; 20-39; 20-183.8A;
Eff. October 1, 1994;
Readopted Eff. October 1, 2021.

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

- (a) In accordance with G.S. 20-183.2, vehicles required to receive a State safety inspection are also subject to an emission inspection if it is propelled or has the ability to be propelled by a gasoline-powered motor vehicle, registered or based in an emission county, and meets the following criteria:
 - (1) the vehicle model year is within 20 years of the current year and older than the three most recent model years;
 - (2) vehicles of the three most recent model years have more than 70,000 miles on the odometer; and
 - (3) vehicle is not a heavy duty vehicle.
- (b) The following requirements shall be adhered to by the license inspection station:
 - (1) inspections shall be performed only with an analyzer and software that has been certified by the North Carolina Department of Environmental Quality (NCDEQ).
 - (2) Requirements for keeping and submitting records are as follows:
 - (A) Copies of the Vehicle Inspection Receipt/Statement shall be removed from the analyzer at the time of download and filed with other business records and kept in sequence for review by the DMV Inspector during his or her audit. These copies of the Vehicle Inspection Receipt/Statement must be retained for 18 months; and
 - (B) Station owners shall maintain the analyzer printer in a condition that produces copies of the Vehicle Inspection Receipt/Statement that are clear and legible. Failure to comply shall result in an immediate lockout as set forth in Rule .0545 of this Section that will remain in effect until the printer has been replaced or corrected.
- (c) The procedures for inspection shall be as follows:
 - (1) The inspection mechanic shall perform the emission test utilizing an emission analyzer that conforms to the NC Department of Environmental Quality certification standards.
 - (2) The inspection mechanic shall conduct the emission inspection by following the prompts of the analyzer and accurately completing all data fields with the applicable information.
- (d) The owner or operator of a vehicle that suspects an emission analyzer provided incorrect results, may submit in writing to the Division of Motor Vehicles a request that the Division perform an emissions inspection on the vehicle so the results can be compared. If the test determines the vehicle to be in compliance with Emission Standards, the Division shall issue an exemption to the vehicle, not to exceed 12 months. The Division shall require an examination of the station analyzer in question and take corrective action.

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

19A NCAC 03D .0544 SAFETY INSPECTION OF MOTORCYCLES

- (a) Motorcycle brakes shall fail safety inspection if:
 - (1) when applying brakes to moving vehicle, there is insufficient force to stop the vehicle;
 - (2) brakes are worn in such a manner that there is an uneven braking force;
 - (3) there is an audible or visual indication that the brake lining is worn to the extent it is no longer serviceable;
 - (4) there is less than one-third reserve in either footbrake or handbrake total possible travel when the brakes are fully applied;
 - (5) reservoirs of braking cylinders are not full;
 - (6) there is a visible leakage of fluid from any brake line or brake component; or
 - (7) handbrake cables are frayed, broken, or frozen or linkage is defective.
- (b) Motorcycle headlamps shall fail safety inspection if:
 - (1) headlamp does not operate or is a color other than white;
 - (2) there are more than two headlamps connected on a single switch;
 - (3) headlamp is cracked or has holes which allow entry of water;

- (4) there is standing water in the headlamp; or
- (5) headlamp is out of aim.
- (c) Motorcycle rear lamps shall fail safety inspection if:
 - (1) they do not operate;
 - (2) light is a color other than red;
 - (3) lens is cracked or broken and allows entry of water;
 - (4) there is standing water in the lens;
 - (5) lamp is not mounted; or
 - (6) wiring is broken or frayed.
- (d) A motorcycle stop lamp shall fail safety inspection if:
 - (1) lamp does not operate when brakes are applied;
 - (2) light is a color other than red or amber;
 - (3) lens is cracked or broken and allows entry of water;
 - (4) there is standing water in the lens;
 - (5) lamp is not mounted; or
 - (6) wiring is broken or frayed.
- (e) A motorcycle license plate light shall fail safety inspection if:
 - (1) light does not operate;
 - (2) light does not illuminate the license plate; or
 - (3) light is a color other than white.
- (f) A motorcycle horn shall fail safety inspection if:
 - (1) the horn does not operate;
 - (2) the sound emitted is not audible at 200 feet;
 - (3) the horn is not mounted; or
 - (4) the button is mounted so that it cannot be operated by the driver.
- (g) Motorcycle tires shall fail safety inspection if:
 - (1) 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;
 - (2) cords are exposed at any location on the tire; or
 - (3) sidewall is cut, bulging, damaged, or is cracked due to dry rotting.
- (h) Motorcycle rear view mirrors shall fail safety inspection if:
 - (1) the mirrors are missing, broken, or cracked;
 - (2) the mirrors are not mounted; or
 - (3) the mirrors will not hold a setting while vehicle is in operation.
- (i) A motorcycle exhaust system shall fail safety inspection if:
 - (1) the motorcycle has no muffler;
 - (2) the muffler, exhaust, or tailpipe have holes, leaking joints, seams, or patches;
 - (3) the tailpipe end is pinched;
 - (4) the exhaust system is equipped with a muffler cut out or bypass; or
 - (5) the muffler baffles have been removed or damaged to create a straight pipe.
- (j) A motorcycle steering mechanism shall fail safety inspection if:
 - (1) front shocks are sagging or broken;
 - (2) front end assembly is loose, bent, or there are damaged or twisted bolts; or
 - (3) 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;
 Readopted Eff. October 1, 2021.

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

- (a) Complaints To Be Investigated: All 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 Rules of this Section and applicable General Statutes.
- (b) Appropriate Enforcement 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

take the appropriate enforcement action, which may include suspension or revocation of the station's license and inspector certifications.

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

(d) When an authorized agent of the Division of Motor Vehicles detects a violation, he or she shall require the owner or operator to discontinue all inspections and operations until he or she is in compliance and approved by the Division of Motor Vehicles Inspector.

(e) Compliance Audit: A DMV Inspector shall audit a station's compliance with the Rules of this Section. Violation of the equipment requirements shall result in lockout of the inspection analyzer. Lockouts shall remain in effect until the issue has been brought into compliance.

History Note: Authority G.S. 20-2; 20-39; 20-183.6A; 20-183.8D; 20-183.8F;
Eff. October 1, 1994;
Readopted Eff. October 1, 2021.

19A NCAC 03D .0546 LICENSING TO REPLACE WINDSHIELD INSPECTION STICKERS
19A NCAC 03D .0547 DENIAL/SUSP.OR REVOC/REGISTRATION TO REPLACE WINDSHIELD
INSPE. STICKER
19A NCAC 03D .0548 OPERATION TO REPLACE WINDSHIELD INSPECTION STICKERS

History Note: Authority G.S. 20-2; 20-39; 20-183.6;
Eff. October 1, 1994;
Expired Eff. October 1, 2018 pursuant to G.S. 150B-21.3A.

19A NCAC 03D .0546 LICENSING TO REPLACE WINDSHIELD INSPECTION STICKERS

Application for authority to replace windshield inspection stickers shall be made on forms furnished by the Enforcement Section of the North Carolina Division of Motor Vehicles and filed at the Motor Vehicle Building, 1100 New Bern Avenue, Raleigh, North Carolina, 27697. The applicant shall be engaged in the business of replacing windshields.

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

19A NCAC 03D .0547 DENIAL/SUSP.OR REVOC/REGISTRATION TO REPLACE WINDSHIELD
INSPE. STICKER

(a) 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:

- (1) Permanent established place of business accessible to the Division of Motor Vehicles for audit of records;
- (2) In the business of replacing windshields;
- (3) Not currently under suspension or revocation as either a safety, safety/emissions, or windshield replacement station.

(b) 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.

(c) 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

(a) 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.

(b) Inspection stickers:

- (1) Acquisition.
 - (A) Orders for inspection stickers may be placed with a local agent of the Enforcement Section. Requests for safety inspection stickers must be accompanied by remittance in the amounts required in G.S. 20-183.7. Orders for stickers shall be placed in units of 50.
 - (B) Orders placed for inspection stickers shall be on forms prepared by the Division and shall bear the signature of the owner, partner, officer of the corporation or an authorized representative. Such forms shall upon request be furnished by the Division. The stickers shall be delivered in a manner determined by the Division.
 - (C) All businesses authorized to replace windshield inspection stickers shall keep a supply of inspection stickers and numeral inserts on hand at all times.
- (2) 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 numeral inserts indicating the month and year the vehicle was previously inspected shall be attached. 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 ball point 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.
- (3) Control:
 - (A) 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 replace windshield inspection stickers. Stickers shall be locked in a safe place to guard against loss or theft.
 - (B) 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 Enforcement Section, 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 Enforcement Inspector.
 - (C) 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.
 - (D) 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.
 - (E) 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.
 - (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 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.
- (4) Requirements and Records:

- (A) 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 Enforcement Section, North Carolina Division of Motor Vehicles, 1100 New Bern Avenue, Raleigh, North Carolina 27697, monthly on or before the 10th of the month following the month for which it was completed. The second copy shall be retained by the station for a period of at least 18 months.
- (B) Registered business which 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.
- (C) 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.

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

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

Vehicles shall not be disapproved for any reason other than those specified in 19A NCAC 03D .0533 through 03D .0553.

History Note: Authority G.S. 20-2; 20-39; 20-127; 20-183.2; 20-183.3; 20-183.6(a); 20-183.7(a);
Eff. October 1, 1994;
Temporary Adoption Eff. November 1, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Amended Eff. February 1, 1996;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.

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

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

(b) A written waiver shall be issued in accordance with this Rule upon request when all of the following criteria have been met:

- (1) the vehicle passed the safety portion of the inspection as shown by the vehicle inspection receipt completed by the licensed inspection station that performed the inspection;
- (2) the vehicle failed the emissions portion of the inspection as shown by the vehicle inspection receipt completed by the licensed inspection station that performed the inspection;
- (3) the vehicle is equipped with each emissions control device listed in Rule .0543 of this Section, 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;
- (4) qualifying repairs have been completed on the vehicle within 60 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 the stock number. For purposes of this Rule, "qualifying repairs" means repairs performed on a vehicle for the purpose of repairing the cause of the emissions inspection 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. 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 emission-related diagnosis and repair;
- (5) the minimum repair expenditure applicable to the vehicle has been met by having qualifying repairs performed on the vehicle as follows:
 - (A) Only the costs of parts are applied toward the minimum repair expenditure, if the repairs are performed by the vehicle owner or by a person who is not professionally engaged in vehicle repairs. In addition, those who are not employed by a business whose purpose is vehicle repair or who does not possess a certification from the National Institute For Automotive Service Excellence for emission-related diagnosis and repair;
 - (B) For 1996 and later model year vehicles, the minimum repair expenditure is two hundred dollars (\$200.00), including parts and labor costs;
 - (C) 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.
 - (D) The cost of diagnostic testing to determine whether the vehicle meets emissions standards shall not be applied toward the minimum repair expenditure unless associated with actual repairs to the vehicle; and
 - (E) 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.
 - (6) the 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 section 207(b) of the Federal Clean Air Act 42-U.S.C. 7541(b); and
 - (7) after qualifying repairs have been completed and within 60 days after failing the initial emissions inspection, the vehicle failed another emissions inspection as shown by the vehicle inspection receipt completed by the licensed inspection station that performed the inspection.
- (c) The vehicle owner or person authorized by the owner must request the waiver and present the vehicle and current registration at the License and Theft Bureau office. The receipts and other documents required by Paragraph (b) of this Rule must be submitted to the designated License and Theft Bureau employee at the time of the request for a waiver.
- (d) The designated License and Theft Bureau employee 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 in Paragraph (b) of this Rule have been met. If the License and Theft Bureau employee is satisfied that the waiver criteria have been met, the Division must issue a written waiver for the vehicle on a form provided by the Division.
- (e) The vehicle owner or person authorized by the owner must present the waiver to the licensed self-inspector or inspection station that performed the initial safety and emissions inspection. The inspection station shall reinspect the vehicle in accordance with the Rules of this Section, except for the emissions portion of the inspection. The waiver authorization number shown on the written waiver must be entered into the emissions analyzer. If the vehicle meets all other requirements of the inspection, the inspection station shall pass the vehicle inspection.
- (f) Each inspection station must maintain a copy of the written 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(b).
- (g) Waivers shall not be issued for vehicles that are owned, operated, or leased by a licensed self inspector.

*History Note: Authority G.S. 20-39; 20-183.5;
Eff. October 1, 1994;
Readopted Eff. October 1, 2021.*

19A NCAC 03D .0551 WINDOW TINTING

- (a) All stations performing window tinting inspections shall have a light meter or photometer which has been tested and approved by the Division of Motor Vehicles and that complies with Rule .0552 of this Section. Stations that do not have an approved light meter shall not inspect vehicles with applications of after-factory window tinting. Stations are not required to maintain a light meter in order to perform safety inspections on vehicles without after-factory window tinting.
- (b) Prior to initiating the inspection process, the inspection mechanic shall determine if the vehicle has after-factory window tinting by using an automotive film check card or knowledge of window tinting techniques. If the vehicle has after-factory window tinting but the station does not have a light meter approved by the Division, the mechanic

must inform the customer he or she is unable to perform the inspection. The station may not charge for any portion of the inspection.

(c) The inspector mechanic shall test the photometer calibration against a reference sample of glass provided by the manufacturer prior to testing the after factory window tinting. If the photometer's display is not functioning as designed by the manufacturer or the device exceeds the net light transmission calibration test by plus or minus three percentage points, the unit shall not be used until repaired. Guidelines for photometer calibration tests are as follows:

- (1) The reference glass sample must be clean and free of dirt prior to performing the calibration check.
- (2) If a reference glass sample has been broken or is missing, the test shall not be performed and the mechanic shall inform the customer he is unable to perform the inspection.

(d) The inspection mechanic shall perform all tests according to the photometer manufacturer's recommendations. Window tint shall fail safety inspection if:

- (1) Any window on the vehicle with after-factory tint has a light transmittance of less than 32 percent;
- (2) The tint on any window is red, yellow, or amber;
- (3) The tint on the windshield extends more than five inches below the top of the windshield or is below the AS1 line of the windshield, whichever measurement is longer; and
- (4) The light reflectance of a tinted window is not 20% or less.

(e) Window tinting on vehicles with after-factory window tint shall not be inspected if the vehicle is exempt from the window tinting restrictions under G.S. 20-127(c).

(f) The fee as specified in G.S. 20-183.7(a) for inspecting window tinting shall be charged for vehicles with after factory tint, unless the light transmission exceeds 65 percent.

*History Note: Authority G.S. 20-2; 20-39; 20-127; 20-183.7(a);
Temporary Adoption Eff. November 1, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Eff. February 1, 1996;
Readopted Eff. October 1, 2021.*

19A NCAC 03D .0552 PHOTOMETER DESIGN AND PERFORMANCE REQUIREMENTS

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

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

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

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

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

(f) Photometric devices shall fail the Division's certification if it is affected by outside stray or ambient light sources. In addition to physical light barriers, such as felt covers and rubber gaskets, the photometer shall include some form of electronic filtration or cancellation of any stray or ambient light sources.

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

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

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

(j) The multi-piece photometer's transmitter shall have a light source capable of providing a uniform intensity beam that can accommodate the alignment capabilities of the receiver. Multi-piece photometers shall incorporate a means of self-alignment or positive alignment indication that shall be accomplished when the source and detector units are placed on their respective surfaces of the glazing to be measured as described in Paragraph (a) of this Rule. The alignment shall be accurate enough to position the detector unit within the uniform beam of the source. The result of this alignment feature shall be data that meets the accuracy and repeatability requirements of this Rule.

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

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

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

*History Note: Authority G.S. 20-2; 20-39; 20-127; 20-183.7(a);
Temporary Adoption Eff. November 1, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Eff. February 1, 1996;
Readopted Eff. October 1, 2021.*

19A NCAC 03D .0553 PHOTOMETER COMPLIANCE

(a) All devices used within the State of North Carolina to measure light transmittance through vehicle windshields or other windows shall, as a minimum, meet the requirements of Rule .0552 of this Section before being approved for use in enforcing state inspection laws and for law enforcement use throughout the state.

(b) Manufacturers must submit units for independent laboratory testing to the Commissioner.

(c) Fees for testing shall either be reimbursed to the Division of Motor Vehicles by the manufacturer or directly to the laboratory by the manufacturer as directed by the Commissioner.

*History Note: Authority G.S. 20-2; 20-39; 20-127; 20-183.6(a); 20-183.7(a);
Temporary Adoption Eff. November 1, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Eff. February 1, 1996;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.*