

15A NCAC 10A .1404 WILDLIFE VIOLATOR COMPACT CONDITIONS FOR RESIDENTS

- (a) North Carolina residents committing hunting, fishing, or trapping violations in another WVC member state, who upon release on personal recognizance from the issuing state, failed to resolve the violation, shall have their hunting, fishing, or trapping privileges suspended in North Carolina.
- (b) If the Wildlife Resources Commission receives notice of an unresolved violation, a Notice of Suspension shall be prepared and sent to the violator:
- (1) the notice shall have a delayed effective date of at least 14 business days, to allow the violator to contact the court in the issuing state and resolve the case;
 - (2) the notice shall be delivered personally or by letter sent by certified mail, return receipt requested, to the last known address of the licensee or permit holder;
 - (3) the notice of suspension shall inform the violator of the facts supporting the suspension and procedures to be followed in resolving the matter with the court in the issuing state; and
 - (4) the notice shall provide the procedure for appealing the suspension.
- (c) Any suspensions received by the Wildlife Resources Commission shall remain in effect until such time as the North Carolina resident resolves the violation in the issuing state.
- (d) When a North Carolina resident resolves a violation with the court in the issuing state, it is the responsibility of the resident to present documents to the Wildlife Resources Commission that acknowledge compliance. Upon receipt of documentation set forth in Paragraph (e) of this Rule, an acknowledgement of compliance shall be issued directly to that person by the Wildlife Resources Commission.
- (e) The following shall be sufficient evidence of compliance in response to a notice of suspension for non-compliance:
- (1) copy of the court judgment; or
 - (2) a copy of a Notice of Compliance from the issuing state.
- (f) The Wildlife Resources Commission shall reinstate the license if the acknowledgement of compliance is presented after the effective date of the suspension.
- (g) Residents receiving a Notice of Suspension from the Wildlife Resources Commission under the WVC provisions for failure to resolve a citation issued in another WVC member state may file a petition with the Office of Administrative Hearings, within 60 days from the date of delivery by certified mail to the residents last known address, pursuant to G.S. 150B-23.
- (h) The issuing state shall be notified if the suspension order is overturned by the Office of Administrative Hearings.

*History Note: Authority G.S. 113-134; 113-300.7;
Eff. August 1, 2017.*