

15A NCAC 02D .1006 SALE AND SERVICE OF ANALYZERS

(a) Requirements. A vendor shall not sell or lease equipment unless it meets the requirements of 40 CFR 85.2231 Onboard Diagnostic Test Equipment Requirements, and has the software necessary to record and transmit the data required by the Division of Motor Vehicles and the Division of Air Quality to determine compliance with the inspection and maintenance program requirements of this Section.

(b) Hardware repair. When equipment hardware fails to meet the requirements of Paragraph (a) of this Rule for a particular analyzer, the vendor, after receiving a call from an inspection station to its respective service call center, shall communicate with the affected station within 24 hours and:

- (1) If the hardware problem is stopping 20 percent or more inspections for a particular analyzer or is compromising the security of the inspection system, the vendor shall repair the problem within 48 hours after the initial call to its respective service call center.
- (2) If the hardware problem is stopping less than 20 percent of all inspections for a particular analyzer and is not compromising the security of the inspection system, the vendor shall repair the problem within 72 hours after the initial call to its respective service call center.
- (3) If the hardware problem is not stopping inspections and is not compromising the security of the inspection system, the vendor shall repair the problem within 96 hours after the initial call to its respective service call center.

(c) Software repair revisions. If analyzer software fails to meet the requirements of Paragraph (a) of this Rule, the vendor, after receiving a call from an inspection station to its respective service call center, shall communicate with the station within 24 hours. The vendor shall identify and characterize the software problem within five days. The vendor shall, within that same five-day period, inform the station owner and the Division as to the nature of the problem and the proposed corrective course of action; and:

- (1) If the software problem is stopping 20 percent or more inspections for a particular analyzer or is compromising the security of the inspection system, the vendor shall submit a new revision of the software to the Division for approval within 19 days after receiving the initial call to its service call center.
- (2) If the software problem is stopping less than 20 percent of all inspections for a particular analyzer and is not compromising the security of the inspection system, the vendor shall submit a new revision of the software to the Division for approval within 33 days after receiving the initial call to its service call center.
- (3) The vendor shall distribute the new revision of the software to all affected stations within 14 days after the vendor receives written notification from the Division that the software has been approved as meeting the requirements of Paragraph (a) of this Rule.

(d) Documentation of the initial service call. The vendor's service call center shall assign a unique service response number to every reported new hardware or software problem. The time and date of the initial call shall be recorded and identified with the service response number. The service response number shall be communicated to the inspection station operator at the time of the initial contact.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.107(a)(6),(14);
Eff. January 1, 2007;
Amended Eff. January 1, 2014;
Readopted Eff. July 1, 2018.*