

19A NCAC 03B .0709 ON-SITE INSPECTIONS AND AUDITS

- (a) All applicants for a Third Party Tester Certificate shall permit the FHWA or the Division to inspect and audit its operations, facilities, and records as they relate to its Third Party Testing program, for the purpose of determining whether the applicant is qualified to be certified.
- (b) Third Party Testers who have been certified shall permit the Division or FHWA to periodically inspect and audit its Third Party Testing program to determine whether it remains in compliance with the certification requirements as provided in Rule .0706 of this Section;
- (c) The Division and FHWA shall perform inspections and audits with or without prior notice to the Third Party Tester.
- (d) Inspections and audits shall include an examination of:
 - (1) records relating to Third Party Testing program;
 - (2) evidence of compliance with the FMCSRs;
 - (3) skills testing procedures practices and operations;
 - (4) vehicles used for testing;
 - (5) qualifications of Third Party Examiners;
 - (6) effectiveness of the skills test program by either testing a sample of drivers who have been issued skills test certificates by the Third Party Tester or having Division employees take the skills tests from a Third Party Examiner; and
 - (7) Any Third Party Tester's operation that the Division determines is necessary to verify that the Third Party Tester meets the requirements for the certification as set forth in Rule .0703 of this Section.
- (e) The Division shall prepare a written report of each inspection and audit report of the results of each inspection and audit. A copy of the report shall be provided to the Third Party Tester.

*History Note: Authority G.S. 20-37.13; 20-37.22;
Eff. September 1, 1990;
Amended Eff. December 1, 1993;
Readopted Eff. November 1, 2021.*