

**19A NCAC 03D .0233 CIVIL PENALTY SCHEDULE FOR LICENSED MOTOR VEHICLE DEALERS**

The civil penalty schedule established in this Rule applies to motor vehicle dealers, motor vehicle sales representatives, manufacturers, factory branches, factory representatives, distributors, representatives, distributor branches, distributor representatives, and wholesalers. The schedule categorizes violations as Type I (serious) Violations, Type II (moderate/less serious) Violations, and Type III (minor) Violations. The DMV shall apply the Civil Penalty Schedule as follows:

- (1) Type I Violation: For a first Type I violation within three years by a licensee, the Division shall assess a civil penalty of two hundred fifty dollars (\$250.00) in addition to any other punishment or remedy under the law. For a second Type I violation within three years by a licensee, the Division shall assess a civil penalty of five hundred dollars (\$500.00) in addition to any other punishment or remedy under the law. For a third or subsequent Type I violation within three years by a licensee, the Division shall assess a civil penalty of one thousand dollars (\$1,000) in addition to any other punishment or remedy under the law.
- (2) Type II Violation: For a first Type II violation within three years by a licensee, the Division shall assess a civil penalty of one hundred dollars (\$100.00) in addition to any other punishment or remedy under the law. For a second Type II violation within three years by a licensee, the Division shall assess a civil penalty of two hundred fifty dollars (\$250.00) in addition to any other punishment or remedy under the law. For a third or subsequent Type II violation within three years by a licensee, the Division shall assess a civil penalty of five hundred dollars (\$500.00) in addition to any other punishment or remedy under the law.
- (3) Type III Violation: For any Type III violation by a licensee, the Division shall assess a civil penalty of fifty dollars (\$50.00) in addition to any other punishment or remedy under the law.
- (4) Multiple Violations: If a licensee commits two or more violations in the course of a single transaction or occurrence, the division shall assess a civil penalty specified for the most serious violation only, based upon the schedule set out in this Rule.

*History Note: Authority G.S. 20-39; 20-287;  
Eff. August 1, 2004;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.*