

19A NCAC 03D .0234 TYPE I OR SERIOUS VIOLATIONS

The Division of Motor Vehicles shall apply the Civil Penalty Schedule for Type I Violations against a licensed automobile dealer for any of the following:

- (1) Failing to deliver manufacturer's certificate at time of transfer as required in G.S. 20-52.1;
- (2) Failing to deliver certificate of title at time of transfer as required in G.S. 20-75;
- (3) Altering or forging certificate of title, registration card, or application as addressed in G.S. 20-71;
- (4) Reproducing or possessing blank certificate of title;
- (5) Failing to disclose damage to a vehicle as addressed in G.S. 20-71.4;
- (6) Knowingly making false statements about the date a vehicle was sold or acquired as addressed in G.S. 20-74;
- (7) Receiving or transferring stolen vehicles as addressed in G.S. 20-106;
- (8) Injuring or tampering with vehicle as addressed in G.S. 20-107;
- (9) Buying, receiving, disposing of, selling, offering for sale, concealing, or possessing vehicles or component parts with manufacturer's numbers as addressed in G.S. 20-108;
- (10) Altering or changing engine or other numbers as addressed in G.S. 20-109;
- (11) Making material misstatement in application for a license as addressed in G.S. 20-294(1);
- (12) Making material misstatement in application for dealer license plate as addressed in G.S. 20-294(12);
- (13) Failing to maintain established salesroom or established office as required in G.S. 20-294(3);
- (14) Defrauding retail buyer or any other person with whom business is conducted in a manner which damages the buyer as addressed in G.S. 20-294(4);
- (15) Employing fraudulent devices, methods or practices in connection with the laws of this State regarding the retaking or repossessing motor vehicles under retail installment contracts and resale of such vehicles as addressed in G.S. 20-294(5);
- (16) Using unfair methods of competition or unfair deceptive acts or practices as addressed in G.S. 20-294(6);
- (17) Knowingly advertising by any means, any untrue assertion or representation or statement of fact which is misleading or deceptive in any particular relating to the conduct of business licensed or for which a license is sought as addressed in G.S. 20-294(7);
- (18) Knowingly advertising a used motor vehicle for sale as a new motor vehicle as addressed in G.S. 20-294(8);
- (19) Being convicted of an offense set forth under G.S. 201-106, G.S. 20-106.1, G.S. 20-107, or G.S. 20-112 while holding such a license or within five years prior to the date of filing the application as addressed in G.S. 20-294(9);
- (20) Being convicted of a felony involving moral turpitude under the laws of this state, another state, or the United States as addressed in G.S. 20-294(9);
- (21) Submitting a bad check to the Division of Motor Vehicles in payment of highway use taxes collected as addressed in G.S. 20-294(10);
- (22) Knowingly giving an incorrect certificate of title, or failing to give a certificate of title to a purchaser, a lienholder, or the Division after a vehicle is sold as required in G.S. 20-294(11);
- (23) Coercing or offering anything of value to any purchaser of a motor vehicle to provide any type of insurance coverage on said motor vehicle or accepting any policy as collateral on any vehicle sold to secure an interest in such vehicle in any company not qualified under the insurance laws of this state as addressed in G.S. 20-298;
- (24) Failing to provide and deliver to buyer a written installment statement describing clearly the motor vehicle sold, the cash sale price thereof, the cash paid down by the buyer, the amount credited the buyer for any trade-in and a description of the motor vehicle traded, the amount of the finance charge, the amount of any other charge specifying its purpose, the net balance due from the buyer, the terms of the payment of such net balance and a summary of any insurance protected to be effected as addressed in G.S. 20-303; and
- (25) Violating any statute included in or related to Article 15 of the Vehicle Mileage Act as addressed in G.S. 20-340 through G.S. 20-350.

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.