

### **19A NCAC 03D .0522 DENIAL, SUSPENSION OR REVOCATION OF LICENSES**

(a) Denial of License: The Commissioner of Motor Vehicles shall deny the application of any applicant for a Safety Equipment or Safety Equipment Emissions Inspection Station License who fails to meet the qualifications set out in G.S. 20, Article 3A, Part 2 or the rules in this Section. Applicants denied licensing shall be notified. An applicant who submits fraudulent or fictitious information with the application shall be denied a license. Persons who are denied a license shall be allowed a hearing in accordance with G.S. 20-183.8G. For applications denied pursuant to G.S. 93B-8.1, technicians and stations who have been denied a license shall not re-apply for 12 calendar months from last denial.

(b) Suspension or Revocation of License:

- (1) The license of any inspection station shall be subject to suspension or revocation when it or any of its personnel conducting inspections violates the rules in this Section or G.S. 20, Article 3A, Part 2. Any person, firm, or corporation whose license is suspended or revoked shall not inspect vehicles while its license is suspended or revoked. Every licensee whose license is suspended or revoked or who is assessed a civil penalty pursuant to G.S. 20-183.7A and G.S. 20-183.8B or who receives a warning letter from the License and Theft Bureau shall be allowed a hearing in accordance with G.S. 20-183.8G.
- (2) Prior to the reinstatement of a license of any Safety Equipment or Safety Equipment Emissions Inspection Station License, which has, by order of the Commissioner of Motor Vehicles, been revoked or suspended, the applicant shall demonstrate to the Commissioner of License and Theft Bureau staff that its employees have knowledge of the safety equipment or safety equipment emission inspection procedures and requirements described in the Rules in this Section and that the location is mechanically equipped to carry out inspections.
- (3) Prior to the reinstatement of a Safety and Emission Inspection Mechanic License, he or she shall meet the requirements set forth in G.S. 20-183.7A(e) and G.S. 20-183.8B(e). Proof of course attendance and passing a written test as set forth in Rule .0521 of this Section shall be presented to License and Theft Bureau staff.
- (4) Motor vehicle owners assessed civil penalties or fines shall be allowed a hearing in accordance with G.S. 20-183.8G. Motor vehicle owners requesting a hearing shall mail a written hearing request to the Commissioner of Motor Vehicles, 3101 Mail Service Center, Raleigh, NC 27699-3101.

*History Note: Authority G.S. 20-2; 20-39; 20-183.7A(e); 20-183.8B(e); 20-183.8D; 20-183.8G; 93B-8.1; Eff. October 1, 1994; Amended Eff. November 1, 2016; Readopted Eff. September 1, 2021.*