

1 19A NCAC 03K .0103 is proposed under temporary procedures as follows:
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3 **19A NCAC 03K .0103 REVIEW OF DENIAL FOR IGNITION INTERLOCK SYSTEM**
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5 (a) In the event an applicant is denied a waiver of costs for an ignition interlock system and pursuant to G.S. 20-179.5,
6 the applicant may seek review of the decision by the Division of Motor Vehicles of the vendor's determination. No
7 fees shall be charged for a Review of a Denial of the Affordability of an Ignition Interlock System as set forth in G.S.
8 20-179.5.

9 (b) Should any applicant disagree with a decision of the vendor pertaining to the denial of the waiver, the applicant
10 may appeal to the Division of Motor Vehicles in accordance with this Rule.

11 (c) Within 30 days from the time of the decision of the vendor, the applicant shall submit a written appeal to the
12 Division of Motor Vehicles setting forth the facts and arguments upon which the appeal is based. The appeal shall be
13 sent to the Division by certified mail and with a return receipt requested.

14 (d) Upon receipt of the written appeal, the Division shall review the written appeal and the vendor's decision, as well
15 as any documents, exhibits, or other evidence bearing on the appeal, and shall render the final agency decision,
16 supported by findings of fact. The final agency decision shall be given by deposit in the US mail of such notice in an
17 envelope with postage prepaid, addressed to such person at the address as shown by the records of the Division.
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19 *History Note: Authority S.L. 2021-182; G.S. 20-179.5;*
20 *Temporary Adoption Eff. _____ 2022.*
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