

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

2

SENATE BILL 260\*  
Second Edition Engrossed 3/10/97

Short Title: Modify Emissions Inspection Laws.

(Public)

---

Sponsors: Senators Odom; Albertson, Cooper, Dannelly, Gulley, Hoyle, Kerr, Plyler, Rucho, and Winner.

---

Referred to: Transportation.

---

February 27, 1997

1 A BILL TO BE ENTITLED  
2 AN ACT TO MODIFY THE PENALTY SCHEDULE FOR VIOLATIONS OF THE  
3 VEHICLE EMISSION INSPECTION PROGRAM, TO CLARIFY THE  
4 PROCEDURE FOR IMPOSING THE PENALTIES, AND TO MAKE OTHER  
5 CHANGES TO THE VEHICLE EMISSION INSPECTION LAWS, AS  
6 RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 20-183.4(b) reads as rewritten:

9 "(b) Station Qualifications. – An applicant for a license as a safety inspection  
10 station must meet all of the following requirements:

- 11 (1) Have a place of business that has adequate facilities, space, and  
12 equipment to conduct a safety inspection. A place of business  
13 designated in a station license that has been suspended or revoked  
14 cannot be the designated place for any other license applicant during the  
15 period of the suspension or revocation, unless the Division finds that  
16 operation of the place of business as an inspection station during this  
17 period by the license applicant would not defeat the purpose of the  
18 suspension or revocation because the license applicant has no

1 connection with the person whose license was suspended or revoked or  
2 because of another reason. A finding made by the Division under this  
3 subdivision must be set out in a written statement that includes the  
4 finding and the reason for the finding.

5 (2) Regularly employ at least one mechanic who has a safety inspection  
6 mechanic license.

7 (3) Designate the individual who will be responsible for the day-to-day  
8 operation of the station. The individual designated must be of good  
9 character and have a reputation for honesty."

10 Section 2. G.S. 20-183.4C reads as rewritten:

11 "**§ 20-183.4C. When a vehicle must be ~~inspected~~; inspected; one-way trip permit.**

12 (a) Inspection. – A vehicle that is subject to a safety inspection, an emissions  
13 inspection, or both must be inspected as follows:

14 (1) A new vehicle must be inspected before it is ~~offered for sale~~ sold at retail  
15 in this State.

16 (2) A used vehicle must be inspected before it is offered for sale at retail in  
17 this State by a dealer at a location other than a public auction.

18 (3) A used vehicle that is offered for sale at retail in this State by a dealer at  
19 a public auction must be inspected before it is offered for sale unless it  
20 has an inspection sticker that was put on the vehicle under this Part and  
21 does not expire until at least nine months after the date the vehicle is  
22 offered for sale at auction.

23 (4) A used vehicle acquired by a resident of this State from a person outside  
24 the State must be inspected within 10 days after the vehicle is registered  
25 with the Division.

26 (5) A vehicle owned by a new resident of this State who transfers the  
27 registration of the vehicle from the resident's former home state to this  
28 State must be inspected within 10 days after the vehicle is registered  
29 with the Division.

30 (6) A vehicle that has been inspected in accordance with this Part must be  
31 inspected by the last day of the month in which the inspection sticker on  
32 the vehicle expires, unless another subdivision of this section requires it  
33 to be inspected sooner.

34 (b) Permit. – The Division may issue a one-way trip permit to a person that  
35 authorizes the person to drive to an inspection station a vehicle whose inspection sticker  
36 has expired. The permit must describe the vehicle whose inspection sticker has expired.  
37 The permit authorizes the person to drive the described vehicle only from the place the  
38 vehicle is parked to an inspection station."

39 Section 3. G.S. 20-183.6 reads as rewritten:

40 "**§ 20-183.6. Businesses that replace windshields must register with Division to get**  
41 **inspection stickers.**

42 A person who is engaged in the business of replacing windshields on vehicles that are  
43 subject to inspection under this Part may register with the Division to obtain replacement

1 inspection stickers for use on replaced windshields. A replacement inspection sticker put  
 2 on a windshield that has been replaced must contain the same information and expire at  
 3 the same time as the inspection sticker it replaces. A person who puts a replacement  
 4 inspection sticker on a replaced windshield must remove the inspection sticker from the  
 5 windshield that was ~~replaced~~ replaced, attach the removed inspection sticker to a copy of  
 6 the statement given the vehicle owner for replacing the windshield, and keep the removed  
 7 inspection sticker until 30 days after it expires. that copy of the statement until 18 months  
 8 after the sticker was removed.

9 A person registered under this section must keep records of replacement stickers put  
 10 on replaced windshields and must be able to account for all inspection stickers received  
 11 from the Division. The Division may suspend or revoke the registration of a person under  
 12 this section if the person fails to keep records required by the Division or is unable to  
 13 account for inspection stickers received from the Division. An auditor of the Division  
 14 may review the records of a person registered under this section during normal business  
 15 hours.

16 A person who is registered under this section and has a safety inspection station  
 17 license or an emissions inspection station license must keep the records of the inspection  
 18 stickers used on replaced windshields separate from the records of the inspection stickers  
 19 used on vehicles inspected. A person who is registered under this section and has an  
 20 inspection station license may not inspect a vehicle whose windshield is being replaced  
 21 unless the inspection sticker on the windshield has expired or expires at the end of the  
 22 month in which the windshield is being replaced and the person has the vehicle owner's  
 23 permission to inspect the vehicle."

24 Section 4. G.S. 20-183.7(a) reads as rewritten:

25 "(a) Fee Amount. – When a fee applies to an inspection of a vehicle or the issuance  
 26 of an inspection sticker, the fee must be collected. The following fees apply to an  
 27 inspection of a vehicle and the issuance of an inspection sticker:

<u>Type</u>	<u>Inspection</u>
	<u>Sticke</u>
	<u>r</u>
Safety Only, Without	
After-Factory Tinted Window	\$ 8.25 \$1.00
Safety Only, With After-	
Factory Tinted Window	18.25 1.00
Emissions and Safety,	
Without After-Factory Tinted Window	17.00 2.40
Emissions and Safety, With	
After-Factory Tinted Window	27.00 2.40.

39 The fee for performing an inspection of a vehicle applies when an inspection is  
 40 performed, regardless of whether the vehicle passes the inspection. The fee for an  
 41 inspection sticker applies when an inspection sticker is put on a vehicle. The fee for  
 42 performing an inspection of a vehicle with a tinted window applies only to an inspection

1 performed with a light meter after a safety inspection mechanic determined that the  
2 window had after-factory tint.

3 A vehicle that is inspected at an inspection station and fails the inspection is entitled  
4 to be reinspected at the same station at any time within 30 days of the failed inspection  
5 without paying another inspection fee."

6 Section 5. G.S. 20-183.8 reads as rewritten:

7 **"§ 20-183.8. Infractions and criminal offenses for violations of inspection**  
8 **requirements.**

9 (a) Infractions. – A person who does any of the following commits an infraction  
10 and, if found responsible, is liable for a penalty of up to fifty dollars (\$50.00):

11 (1) Operates a motor vehicle that is subject to inspection under this Part on  
12 a highway or public vehicular area in the State when the vehicle has not  
13 been inspected in accordance with this Part, as evidenced by the  
14 vehicle's lack of a current inspection sticker or otherwise.

15 (2) Allows an inspection sticker to be put on a vehicle owned or operated  
16 by that person, knowing that the vehicle was not inspected before the  
17 sticker was attached or was not inspected properly.

18 (3) ~~Attaches~~ Puts an inspection sticker ~~to~~ on a vehicle, knowing or having  
19 reasonable grounds to know an inspection of the vehicle was not  
20 performed or was performed improperly. A person who is cited for a  
21 civil penalty under G.S. 20-183.8B for an emissions violation involving  
22 the inspection of a vehicle may not be charged with an infraction under  
23 this subdivision based on that same vehicle.

24 (b) Defenses to Infractions. – Any of the following is a defense to a violation  
25 under subsection (a) of this section:

26 (1) The vehicle was continuously out of State for at least the 30 days  
27 preceding the date the inspection sticker expired and a current  
28 inspection sticker was obtained within 10 days after the vehicle came  
29 back to the State.

30 (2) The vehicle displays a dealer license plate or a transporter plate, the  
31 dealer repossessed the vehicle or otherwise acquired the vehicle within  
32 the last 10 days, and the vehicle is being driven from its place of  
33 acquisition to the dealer's place of business or to an inspection station.

34 (3) ~~The vehicle was in a state of disrepair on the date the inspection sticker~~  
35 ~~expired, the owner has since repaired the vehicle, the vehicle is being~~  
36 ~~driven from the owner's residence or other place where the owner~~  
37 ~~repaired the vehicle to an inspection station, and the owner has not~~  
38 ~~otherwise driven the vehicle since the inspection sticker expired.~~

39 (4) The charged infraction is described in subdivision (a)(1) of this section,  
40 the vehicle is subject to a safety-only inspection, and the vehicle owner  
41 establishes in court that the vehicle was inspected after the citation was  
42 issued and within 30 days of the expiration date of the inspection sticker  
43 that was on the vehicle when the citation was issued.

1 (c) Felony. – A person who ~~forges an inspection sticker commits a Class I felony.~~ does  
2 any of the following commits a Class I felony:

3 (1) Forges an inspection sticker.

4 (2) Buys, sells, or possesses a forged inspection sticker.

5 (3) Buys, sells, or possesses an inspection sticker other than as the result of  
6 either of the following:

7 a. Having a license as an inspection station, a self-inspector, or an  
8 inspection mechanic and obtaining the inspection sticker from  
9 the Division in the course of business.

10 b. A vehicle inspection in which the vehicle passed the inspection  
11 or for which the vehicle received a waiver."

12 Section 6. G.S. 20-183.8B reads as rewritten:

13 "**§ 20-183.8B. Civil penalties against license holders and suspension or revocation of**  
14 **license for emissions violations.**

15 (a) Kinds of Violations. – The civil penalty schedule established in this section  
16 applies to emissions self-inspectors, emissions inspection stations, and emissions  
17 inspection mechanics. The schedule categorizes emissions violations into serious (Type  
18 I), minor (Type II), and technical (Type III) violations.

19 A serious violation is a violation of this Part or a rule adopted to implement this Part  
20 that directly affects the emission reduction benefits of the emissions inspection program.  
21 A minor violation is a violation of this Part or a rule adopted to implement this Part that  
22 reflects negligence or carelessness in conducting an emissions inspection or complying  
23 with the emissions inspection requirements but does not directly affect the emission  
24 reduction benefits of the emissions inspection program. A technical violation is a  
25 violation that is not a serious violation, a minor violation, or another type of offense  
26 under this Part.

27 (b) Penalty Schedule. – The Division must take the following action for a  
28 violation:

29 (1) Type I. – For a first or second Type I violation by an emissions self-  
30 inspector or an emissions inspection station, assess a civil penalty of  
31 two hundred fifty dollars (\$250.00) and suspend the license of the  
32 business for six months. For a third or subsequent Type I violation  
33 within ~~seven~~ three years by an emissions self-inspector or an emissions  
34 inspection station, assess a civil penalty of one thousand dollars  
35 (\$1,000) and revoke the license of the business for two years.

36 For a first or second Type I violation by an emissions inspection  
37 mechanic, assess a civil penalty of one hundred dollars (\$100.00) and  
38 suspend the mechanic's license for six months. For a third or subsequent  
39 Type I violation within seven years by an emissions inspection  
40 mechanic, assess a civil penalty of two hundred fifty dollars (\$250.00)  
41 and revoke the mechanic's license for two years.

42 (2) Type II. – For a first or second Type II violation by an emissions self-  
43 inspector or an emissions inspection station, assess a civil penalty of one

1 hundred dollars (\$100.00). For a third or subsequent Type II violation  
2 within ~~seven~~three years by an emissions self-inspector or an emissions  
3 inspection station, assess a civil penalty of two hundred fifty dollars  
4 (\$250.00) and suspend the license of the business for 90 days.

5 For a first or second Type II violation by an emissions inspection  
6 mechanic, assess a civil penalty of fifty dollars (\$50.00). For a third or  
7 subsequent Type II violation within seven years by an emissions  
8 inspection mechanic, assess a civil penalty of one hundred dollars  
9 (\$100.00) and suspend the mechanic's license for 90 days.

10 (3) Type III. – For a first or second Type III violation by an emissions self-  
11 inspector, an emissions inspection station, or an emissions inspection  
12 mechanic, send a warning letter. For a third or subsequent Type III  
13 violation within ~~seven~~three years by the same emissions license holder,  
14 assess a civil penalty of twenty-five dollars (\$25.00).

15 (c) Station or Self-Inspector Responsibility. – It is the responsibility of an  
16 emissions inspection station and an emissions self-inspector to supervise the emissions  
17 mechanics it employs. A ~~Type I~~ violation by an emissions inspector mechanic is  
18 considered a ~~Type I~~ violation by the station or self-inspector for whom the mechanic is  
19 employed. ~~A Type II or III violation by an emissions mechanic is not automatically a Type II or~~  
20 ~~III violation by the station or self-inspector for whom the mechanic is employed. The Division~~  
21 ~~may determine which Type II or Type III violations by an emissions mechanic are also violations~~  
22 ~~by the station or self-inspector.~~

23 (d) Missing Stickers. – The Division must assess a civil penalty against an  
24 emissions inspection station or an emissions self-inspector that cannot account for an  
25 emissions inspection sticker issued to it. A station or a self-inspector cannot account for a  
26 sticker when the sticker is missing and the station or self-inspector cannot establish  
27 reasonable grounds for believing the sticker was stolen or destroyed by fire or another  
28 accident.

29 The amount of the penalty is twenty-five dollars (\$25.00) for each missing sticker. If a  
30 penalty is imposed under subsection (b) of this section as the result of missing stickers,  
31 the monetary penalty that applies is the higher of the penalties required under this  
32 subsection and subsection (b); the Division may not assess a monetary penalty as a result  
33 of missing stickers under both this subsection and subsection (b). Imposition of a  
34 monetary penalty under this subsection does not affect suspension or revocation of a  
35 license required under subsection (b).

36 (e) Mechanic Training. – An emissions inspection mechanic whose license has  
37 been suspended or revoked must retake the course required under G.S. 20-183.4A and  
38 successfully complete the course before the mechanic's license can be reinstated. Failure  
39 to successfully complete this course continues the period of suspension or revocation  
40 until the course is completed successfully."

41 Section 7. G.S. 20-183.8C reads as rewritten:

42 "**§ 20-183.8C. Acts that are Type I, II, or III emissions violations.**

1 (a) Type I. – It is a Type I violation for an emissions self-inspector, an emissions  
2 inspection station, or an emissions inspection mechanic to do any of the following:

3 (1) Put an emissions inspection sticker on a vehicle without performing an  
4 emissions inspection of the ~~vehicle or after performing an emissions~~  
5 ~~inspection in which the vehicle did not pass the inspection.~~ vehicle.

6 (1a) Put an emissions inspection sticker on a vehicle after performing an  
7 emissions inspection of the vehicle and determining that the vehicle did  
8 not pass the inspection.

9 (2) Use a test-defeating strategy when conducting an emissions inspection,  
10 such as holding the accelerator pedal down slightly during an idle test,  
11 disconnecting or crimping a vacuum hose to effect a passing result, or  
12 changing the emission standards for a vehicle by incorrectly entering the  
13 vehicle type or model year to achieve a passing result.

14 (3) Allow a person who is not licensed as an emissions inspection mechanic  
15 to perform an emissions inspection for a self-inspector or at an  
16 emissions station.

17 (4) Sell or otherwise give an inspection sticker to another other than as the  
18 result of a vehicle inspection in which the vehicle passed the inspection  
19 or for which the vehicle received a waiver.

20 (5) Be unable to account for five or more inspection stickers at any one time  
21 upon the request of an auditor of the Division.

22 (6) Perform a safety-only inspection on a vehicle that is subject to both a  
23 safety and an emissions inspection.

24 (7) Transfer an inspection sticker from one vehicle to another.

25 (b) Type II. – It is a Type II violation for an emissions self-inspector, an emissions  
26 inspection station, or an emissions inspection mechanic to do any of the following:

27 (1) Use the identification code of another to gain access to an emissions  
28 analyzer.

29 (2) Keep inspection stickers and other compliance documents in a manner  
30 that makes them easily accessible to individuals who are not inspection  
31 mechanics.

32 (3) Put an emissions inspection sticker on a vehicle that is required to have  
33 one of the following emissions control devices but does not have it:

34 a. Catalytic converter.

35 b. PCV valve.

36 c. Thermostatic air control.

37 d. Oxygen sensor.

38 e. Unleaded gas restrictor.

39 f. Gasoline tank cap.

40 g. Air injection system.

41 h. Evaporative emissions system.

42 i. Exhaust gas recirculation (EGR) valve.

- 1           (4) Put an emissions inspection sticker on a vehicle without performing a  
2 visual inspection of the vehicle's exhaust system and checking the  
3 exhaust system for leaks.
- 4           (5) Impose no fee for an emissions inspection of a vehicle or the issuance of  
5 an emissions inspection sticker or impose a fee for one of these actions  
6 in an amount that differs from the amount set in G.S. 20-187.3.
- 7       (c) Type III. – It is a Type III violation for an emissions self-inspector, an  
8 emissions inspection station, or an emissions inspection mechanic to do any of the  
9 following:
- 10           (1) Fail to post an emissions license issued by the Division.  
11           (2) Fail to send information on emissions inspections to the Division at the  
12 time or in the form required by the Division.  
13           (3) Fail to post emissions information required by federal law to be posted.  
14           (4) Fail to put the required information on an inspection sticker in a legible  
15 manner using ink.  
16           (5) Fail to put the required information on an inspection receipt in a legible  
17 manner.  
18           (6) Fail to maintain an emissions analyzer maintenance log.
- 19       (d) Other Acts. – The lists in this section of the acts that are Type I, Type II, or  
20 Type III violations are not the only acts that are one of these types of violations. The  
21 Division may designate other acts that are a Type I, Type II, or Type III violation."

22           Section 8. G.S. 20-183.8D reads as rewritten:

23 **"§ 20-183.8D. Suspension or revocation of license for safety violations.–license.**

24       (a) Safety. – The Division may suspend or revoke a safety self-inspector license, a  
25 safety inspection station license, and a safety inspection mechanic license issued under  
26 this Part if the license holder fails to comply with this Part or a rule adopted by the  
27 Commissioner to implement this Part.

28       (b) Emissions. – The Division may suspend or revoke an emissions self-inspector  
29 license, an emissions inspection station license, and an emissions inspection mechanic  
30 license issued under this Part for any of the following reasons:

- 31           (1) The suspension or revocation is imposed under G.S. 20-183.8B.  
32           (2) Failure to pay a civil penalty imposed under G.S. 20-183.8B within 30  
33 days after it is imposed."

34           Section 9. Article 3A of Chapter 20 of the General Statutes is amended by  
35 inserting a new section between G.S. 20-183.8D and G.S. 20-183.8E to read:

36 **"§ 20-183.8D.1. Requirements for giving certain emissions license holders notice of**  
37 **violations and for taking summary action.**

38       (a) Finding of Violation. – When an auditor of the Division finds that an emissions  
39 violation has occurred that could result in the suspension or revocation of an emissions  
40 inspection station license, an emissions self-inspector license, or an emissions mechanic  
41 license, the auditor must give the affected license holder written notice of the finding.  
42 The notice must be given within five business days after the violation occurred. The  
43 notice must state the period of suspension or revocation that could apply to the violation



1 and any monetary penalty that could apply to the violation. The notice must also inform  
2 the license holder of the right to a hearing if the Division charges the license holder with  
3 the violation.

4 (b) Notice of Charges. – When the Division decides to charge an emissions  
5 inspection station, an emissions self-inspector, or an emissions mechanic with a violation  
6 that could result in the suspension or revocation of the person's emissions license, an  
7 auditor of the Division must deliver a written statement of the charges to the affected  
8 license holder. The statement of charges must inform the license holder of this right,  
9 instruct the person on how to obtain a hearing, and inform the license holder of the effect  
10 of not requesting a hearing. The license holder has the right to a hearing before the  
11 license is suspended or revoked. G.S. 20-183.8E sets out the procedure for obtaining a  
12 hearing.

13 (c) Exception for Summary Action. – The right granted by subsection (b) of this  
14 section to have a hearing before an emissions license is suspended or revoked does not  
15 apply if the Division summarily suspends or revokes the license after a judge has  
16 reviewed and authorized the proposed action. A license issued to an emissions inspection  
17 station, an emissions self-inspector, or an emissions mechanic is a substantial property  
18 interest that cannot be summarily suspended or revoked without judicial review."

19 Section 10. G.S. 20-183.8E reads as rewritten:

20 "**§ 20-183.8E. Administrative and judicial review.**

21 ~~A person whose application for a license or registration is denied, whose license or~~  
22 ~~registration is suspended or revoked, who is assessed a civil penalty, or who receives a~~  
23 ~~warning letter under this Part may obtain an administrative review of the action by the~~  
24 ~~Commissioner by filing with the Division a written request for a hearing before the~~  
25 ~~Commissioner. A request for a hearing must be filed within 10 days after the person~~  
26 ~~receives written notice of the action for which a hearing is requested.~~

27 ~~If the action that is the subject of a request for a hearing is the suspension or~~  
28 ~~revocation of an emissions self-inspector license, an emissions inspection station license,~~  
29 ~~or an emissions inspection mechanic license, the Commissioner must hold the hearing~~  
30 ~~within 14 days after the Division receives the request. If the action that is the subject of a~~  
31 ~~request for a hearing is not one of these actions, the Commissioner must hold a hearing~~  
32 ~~within 90 days after the Division receives the request.~~

33 (a) Right to Hearing. – A person who applies for a license or registration under  
34 this Part or who has a license or registration issued under this Part has the right to a  
35 hearing when any of the following occurs:

36 (1) The Division denies the person's application for a license or registration.

37 (2) The Division delivers to the person a written statement of charges of an  
38 emissions violation that could result in the suspension or revocation of  
39 the person's emissions license.

40 (3) The Division summarily suspends or revokes the person's license  
41 following review and authorization of the proposed adverse action by a  
42 judge.

43 (4) The Division assesses a civil penalty against the person.

1           (5)    The Division issues a warning letter to the person.

2           (6)    The Division cancels the person's registration.

3           (b)    Hearing After Statement of Charges. – When an emissions license holder  
4 receives a statement of charges of an emissions violation that could result in the  
5 suspension or revocation of the person's emissions license, the person can obtain a  
6 hearing by making a request for a hearing. The person must make the request to the  
7 Division within 10 days after receiving the statement of the charges. A person who does  
8 not request a hearing within this time limit waives the right to a hearing.

9           The Division must hold a hearing requested under this subsection within three  
10 business days after receiving the request unless the person requesting the hearing asks for  
11 additional time to prepare for the hearing. A person may ask for no more than seven  
12 additional business days to prepare. If the additional time requested is within this limit,  
13 the Division must grant a person the additional time requested. The hearing must be held  
14 at the location designated by the Division. Suspension or revocation of the license is  
15 stayed until a decision is made following the hearing.

16           If a person does not request a hearing within the time allowed for making the request,  
17 the proposed suspension or revocation becomes effective the day after the time for  
18 making the request ends. If a person requests a hearing but does not attend the hearing,  
19 the proposed suspension or revocation becomes effective the day after the date set for the  
20 hearing.

21           (c)    Hearing After Summary Action. – When the Division summarily suspends a  
22 license issued under this Part after judicial review and authorization of the proposed  
23 action, the person whose license was suspended or revoked may obtain a hearing by  
24 filing with the Division a written request for a hearing. The request must be filed within  
25 10 days after the person was notified of the summary action. The Division must hold a  
26 hearing requested under this subsection within 14 days after receiving the request.

27           (d)    All Other Hearings. – When this section gives a person the right to a hearing  
28 and subsection (b) or (c) of this section do not apply to the hearing, the person may obtain  
29 a hearing by filing with the Division a written request for a hearing. The request must be  
30 filed within 10 days after the person receives written notice of the action for which a  
31 hearing is requested. The Division must hold a hearing within 90 days after the Division  
32 receives the request.

33           (e)    Decision. – After a hearing on the imposition of a monetary penalty against a  
34 motorist for an emissions violation or on a Type I, II, or III emissions violation by an  
35 emissions license holder, the Commissioner must uphold any monetary penalty, license  
36 suspension, license revocation, or warning required by G.S. 20-183.8A or G.S. 20-  
37 183.8B, respectively, if the Commissioner finds that the motorist or license holder  
38 committed the act for which the monetary penalty, license suspension, license revocation,  
39 or warning was imposed. After a hearing on any other action, the Commissioner may  
40 uphold or modify the action.

41           (f)    Judicial Review of Decision. – Article 4 of Chapter 150B of the General  
42 Statutes governs judicial review of an administrative decision by the Commissioner under  
43 this section."

1           Section 11. G.S. 20-99(e) reads as rewritten:

2           "(e) The provisions, procedures, and remedies provided in this section ~~shall be~~  
3 ~~applicable~~ apply to the collection of penalties imposed under the provisions of Article 3A  
4 of this Chapter and of G.S. 20-96, G.S. 20-118, or any other provisions of this Chapter  
5 imposing a tax or penalty for operation of a vehicle in excess of the weight limits  
6 provided in this Chapter and the Commissioner is authorized to collect such taxes or  
7 penalties by the use of the procedure established in subsections (a), (b), (c) and (d) of this  
8 section."

9           Section 12. G.S. 20-183.8(c), as amended by Section 5 of this act, becomes  
10 effective November 1, 1997, and applies to offenses committed on or after that date. The  
11 remaining changes made by Section 5 of this act and the other sections of this act become  
12 effective July 1, 1997.