

## 10A NCAC 28I .0112 VIOLATIONS

(a) Violation of the rules in this Section shall subject the offender to a civil penalty. The offender and the person to whom the vehicle is registered may be charged civil penalties for non-moving violations as follows:

- (1) employees only:
  - (A) failure to register a vehicle, five dollars (\$5.00);
  - (B) failure of a registered vehicle owner to secure a temporary permit when using a non-registered vehicle, two dollars (\$2.00);
  - (C) failure to display or improper display of parking sticker, two dollars (\$2.00); and
  - (D) failure to remove expired parking sticker, two dollars (\$2.00); and
- (2) all violators:
  - (A) parking in a restricted area or restricted parking space, five dollars (\$5.00);
  - (B) blocking a fire hydrant, five dollars (\$5.00);
  - (C) parking on grass, five dollars (\$5.00);
  - (D) blocking a walkway, two dollars (\$2.00);
  - (E) double parking or parking in driving lane, five dollars (\$5.00);
  - (F) improper use of a service zone, five dollars (\$5.00);
  - (G) parking out of space, two dollars (\$2.00);
  - (H) parking with rear of vehicle to curb, two dollars (\$2.00);
  - (I) overtime parking, two dollars (\$2.00);
  - (J) parking in "non-parking" zone, five dollars (\$5.00); and
  - (K) parking in a "handicapped space," twenty-five dollars (\$25.00).

(b) Civil penalties for non-moving violations listed in (a) of this Rule shall be processed as follows:

- (1) By the fifth calendar day of the month following the citation, the face value of the penalty indicated may be paid by writing on the ticket the name of the person to whom the vehicle is registered and mailing it together with payment to the person or office as designated on the citation by the institution director.
- (2) If the person receiving the citation feels that the citation was unjustly issued, a request for review may be made in writing to the director of the institution. The request for review shall be made within five days of the date the citation was issued and shall state the reason for review. The director shall notify the person in writing of the final decision regarding the review. If the decision sustains the issuance of the citation, the date of written notice shall become the effective date of issue of the citation and the penalty shall be paid according to the instructions in (b)(1) of this Rule. If the review determines a citation should not have been issued, no further action shall be required.
- (3) If the penalty is not paid by the fifth calendar day of the month following the citation, the institution director shall mail a notice to the person in whose name the vehicle is registered. If the offender is an institution employee, the division supervisor and the appropriate supervisor shall also be instructed to contact the registrant.
- (4) If the penalty is not paid by the last calendar day of the month following the citation, the institution director shall:
  - (A) initiate enforcement by civil action in the nature of a debt;
  - (B) instruct the employee's supervisor to initiate disciplinary action; or
  - (C) employ both actions.

(c) Court citations shall be issued for all violations not listed in (a) of this Rule including all violations of state motor vehicle laws, all speeding violations, violations arising from failure to obey traffic control signs or devices, and violations of department and grounds control requirements. The offender shall be cited to stand trial for the alleged offense in the General Court of Justice by the officer observing the violation.

*History Note: Authority G.S. 20-37.6(f); 143-116.6; 143-116.7;  
Eff. January 1, 1987;  
Amended Eff. July 1, 1994; April 1, 1990;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 24, 2019.*