

**SUBCHAPTER 3E - INTERNATIONAL REGISTRATION PLAN (IRP) SECTION**

**SECTION .0100 - GROSS RECEIPTS TAX: COMMON CARRIERS OF PROPERTY**

**19A NCAC 03E .0101 GENERAL INFORMATION**

*History Note:* Authority G.S. 20-1; 20-50; 20-88; 20-89; 20-90; 20-91; 20-92; 20-93;  
Eff. July 1, 1978;  
Amended Eff. March 1, 1982;  
Repealed Eff. July 1, 1983.

- 19A NCAC 03E .0102 RECORDS**
- 19A NCAC 03E .0103 GROSS REVENUE**
- 19A NCAC 03E .0104 MILEAGE**
- 19A NCAC 03E .0105 REPORTS**
- 19A NCAC 03E .0106 GUIDELINE BOOK**

*History Note:* Authority G.S. 20-1; 20-88; 20-89; 20-90; 20-91; 20-92;  
Eff. July 1, 1978;  
Repealed Eff. February 1, 1982.

**19A NCAC 03E .0107 REGISTRATION UNDER THE INTERNATIONAL REGISTRATION PLAN**

*History Note:* Authority G.S. 20-86.1;  
Eff. July 1, 1978;  
Amended Eff. February 1, 1982;  
Repealed Eff. July 1, 1983.

**SECTION .0200 - GROSS RECEIPTS TAX: COMMON CARRIERS OF PASSENGERS**

- 19A NCAC 03E .0201 LICENSING EQUIPMENT**
- 19A NCAC 03E .0202 RECORDS**

*History Note:* Authority G.S. 20-1; 20-50; 20-87; 20-91; 20-93;  
Eff. July 1, 1978;  
Amended Eff. February 1, 1982;  
Repealed Eff. July 1, 1983.

- 19A NCAC 03E .0203 GROSS REVENUE**
- 19A NCAC 03E .0204 MILEAGE**

*History Note:* Authority G.S. 20-1; 20-87; 20-89;  
Eff. July 1, 1978;  
Repealed Eff. February 1, 1982.

**19A NCAC 03E .0205 REPORTS**

*History Note:* Authority G.S. 20-1; 20-87; 20-89 through 20-92;  
Eff. July 1, 1978;  
Amended Eff. February 1, 1982;  
Repealed Eff. July 1, 1983.

**SECTION .0300 - REGISTRATION OF RENTAL VEHICLES BY NONRESIDENTS**

**19A NCAC 03E .0301 GENERAL INFORMATION**

*History Note:* Authority G.S. 20-1; 20-66; 20-84.2;  
Eff. July 1, 1978;  
Repealed Eff. February 1, 1982.

#### **19A NCAC 03E .0302 ONE-WAY TRUCK REGISTRATION**

(a) In addition to the General Statutes concerning truck registration, every registrant (owner) of trucks of less than 26,000 pounds gross vehicle weight operated as a one-way fleet shall allocate vehicles to North Carolina.

(b) The minimum number of vehicles to be licensed in North Carolina shall be determined as follows:

- (1) Divide the North Carolina miles by the total miles traveled (all jurisdictions) by each class of motor vehicles during the preceding year. The preceding year means the period of 12 consecutive months immediately prior to July 1st of each year immediately preceding the commencement of the registration or license year for which the application is being filed.
- (2) Multiply the North Carolina percent times the total number of vehicles owned or operated January 1st in the particular class.
- (3) When equipment is added to a particular class after January 1st of any licensing year, the same percent used at the beginning of that licensing year (January 1st) shall be used to determine the portion of the new vehicles to be registered in North Carolina.

(c) A record of unit number, identification, declared gross weight, miles traveled, monthly inventory (motor vehicle) records, North Carolina license number and date license purchased shall be retained for three years.

*History Note:* Authority G.S. 20-1; 20-84.2; 20-86.1;  
Eff. July 1, 1978;  
Amended Eff. December 1, 1993; November 1, 1991; July 1, 1983; February 1, 1982;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.

#### **19A NCAC 03E .0303 UTILITY TRAILER REGISTRATION**

#### **19A NCAC 03E .0304 U-DRIVE-IT CAR REGISTRATION**

*History Note:* Authority G.S. 20-1; 20-66; 20-86.1;  
Eff. July 1, 1978;  
Amended Eff. December 1, 1993; November 1, 1991; July 1, 1983; February 1, 1982;  
Expired Eff. October 1, 2018 pursuant to G.S. 150B-21.3A.

### **SECTION .0400 - INTERNATIONAL REGISTRATION PLAN**

#### **19A NCAC 03E .0401 GENERAL INFORMATION**

(a) Apportionable vehicles used or intended for use in two or more jurisdictions that allocate or proportionally register vehicles for the transportation of persons or property, shall be registered in accordance with the provisions of the International Registration Plan. The International Registration Plan is hereby incorporated by reference, including subsequent amendments and editions, which can be found at no cost at the Division's International Registration Plan offices in Charlotte or Raleigh, and online at <https://www.ncdot.gov/dmv/programs/commercial-trucking/Pages/default.aspx>.

(b) The term "Apportionable Vehicle" as used in this Rule means any vehicle, except recreational vehicles, vehicles displaying restricted plates, city pick up and delivery vehicles, buses used in transportation of chartered parties, and government-owned vehicles, used, or intended for use, in two or more member jurisdictions that allocate or proportionally register vehicles and is used for the transportation of persons for hire or designed, used or maintained for the transportation of property and:

- (1) is a power unit having two axles and a gross vehicle weight or registered gross vehicle weight in excess of 26,000 pounds;
- (2) is a power unit having three or more axles regardless of weight; or
- (3) is used in combination when the weight of such combination exceeds 26,000 pounds gross vehicle weight.

(c) Vehicles, or combinations thereof, having a gross vehicle weight of 26,000 pounds or less and two-axle vehicles and buses used in transportation of chartered parties may be proportionally registered at the option of the registrant.

(d) The Raleigh and Charlotte offices of the North Carolina Division of Motor Vehicles shall register vehicles under the International Registration Plan. Registrants or other interested persons shall obtain the International Registration Plan manual and the application schedule forms from:

- (1) North Carolina Division of Motor Vehicles  
I.R.P. Section  
1425 Rock Quarry Road  
Suite 100  
Raleigh, North Carolina 27610; or
- (2) North Carolina Division of Motor Vehicles  
I.R.P. Unit  
6016 Brookshire Blvd.  
Charlotte, North Carolina 28216.

(e) The principles for implementation of this registration reciprocity agreement among states of the United States and provinces of Canada shall be found in the most recent publication of the International Registration Plan Policies and Procedures Manual, the Uniform Operation Audit Procedures Guidelines and the North Carolina Department of Transportation, Division of Motor Vehicles International Registration Plan Manual.

(f) The forms for the International Registration Plan and rental vehicles shall be obtained from the International Registration Plan Section (IRP) of the Division of Motor Vehicles, Raleigh, North Carolina.

*History Note:* Authority G.S. 20-86.1; 20-91;  
Eff. July 1, 1983;  
Amended Eff. April 30, 1997; December 1, 1993; November 1, 1991;  
Readopted Eff. June 1, 2021.

#### **19A NCAC 03E .0402 REGISTRATION UNDER THE INTERNATIONAL REGISTRATION PLAN**

*History Note:* Authority G.S. 20-86.1;  
Eff. July 1, 1983;  
Repealed Eff. November 1, 1991.

#### **19A NCAC 03E .0403 LICENSE PERIOD FOR TRAILER PLATE**

*History Note:* Authority G.S. 20-39; 20-63; 20-87(9); 20-88;  
Eff. November 1, 1991;  
Amended Eff. April 30, 1997; December 1, 1993;  
Expired Eff. October 1, 2018 pursuant to G.S. 150B-21.3A.

### **SECTION .0500 - SAFETY RULES AND REGULATIONS**

#### **19A NCAC 03E .0501 CERTIFICATE: VEHICLE IDENTIFICATION: ETC**

(a) Passengers, fire-fighting equipment, medical and hospital supplies, food, feed, clothing, and other articles necessary for immediate relief of or direct prevention of fires, sickness, accident, storm, flood, or similar catastrophes, may be transported by any person in any available vehicle without notice to or authority from the Utilities Commission or the Motor Carrier Regulatory Unit upon issuance of an executive order from the Governor. The North Carolina Utilities Commission, however, has jurisdiction over household goods movers.

(b) A certificate of exemption may be canceled upon notice to the holder without hearing for any one or more of the following causes:

- (1) for failure to mark for hire vehicles as required by Paragraph (c) of this Rule;
- (2) for the transportation of passengers or property not exempt from rules;
- (3) for refusal to permit the Division's inspectors, upon demand and display of proper credentials, to make examination of loaded trucks, the property being transported, and all books, records, and accounts relating to the transportation of property for hire;
- (4) for failure of exempt for hire passenger carriers to keep on file with the Division proper evidence of insurance as required by the Utilities Commission;
- (5) for failure of exempt for hire passenger or property carriers to comply with the safety rules of the Division.

(c) Every vehicle operated under a certificate of exemption shall have printed on both sides thereof, in letters and figures not less than three inches high, the owner's name, or trade name, address, and certificate number unless such vehicle is under permanent lease in which case only the certificate number of the lessor shall appear. In case of a tractor-trailer unit, the marking shall be on the tractor.

(d) The lease of equipment with driver for use in private transportation of property is prohibited unless the following requirements are met:

- (1) the leased equipment shall be exclusively committed to the lessee's use for the term of the lease;
- (2) the lessee shall have exclusive dominion and control over the transportation service during the term of the lease;
- (3) the lessee shall maintain liability insurance for any injury caused in the course of performing the transportation service;
- (4) the lessee shall be responsible for compliance with safety rules;
- (5) the lessee shall bear the risk of damage to cargo; and
- (6) the term of the lease shall be for a minimum period of 30 days.

(e) Any person operating under a certificate of exemption using a leased or rented vehicle shall have the vehicle properly marked or placarded on both sides in letters and figures not less than three inches high, the lessee's name or trade name, address and certificate number.

*History Note:* Authority G.S. 20-378;  
Temporary Rule Eff. February 11, 1986 for a period of 120 days to expire on June 11, 1986;  
Eff. April 1, 1986;  
Amended Eff. January 1, 1994;  
Transferred and Recodified from 19A NCAC 03D .0803 Eff. January 3, 1996;  
Amended Eff. April 30, 1997;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.

#### **19A NCAC 03E .0502 PURCHASE OF FOR HIRE LICENSE TAGS**

A certificate of exemption for the transportation of passengers issued as provided in Rule .0501 of this Section does not in itself constitute approval by the Division of the purchase of for hire tags for vehicles owned by the person to whom such certificate is issued. For hire tags may only be purchased by holders of exemption certificates for the transportation of passengers who are in full compliance with the insurance and safety rules of the Division. Vehicles of such carriers shall be registered with the Division as required by Rule .0507 of this Section and upon carrier's compliance with said insurance and safety rules, said vehicles shall be approved by the Division of Motor Vehicles so that tags may be purchased, but not before.

*History Note:* Authority G.S. 20-86; 20-86.1; 20-378;  
Temporary Rule Eff. February 11, 1986 for a period of 120 days to expire on June 11, 1986;  
Eff. April 1, 1986;  
Amended Eff. January 1, 1994; November 1, 1991;  
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Amended Eff. April 30, 1997;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.

#### **19A NCAC 03E .0503 CHANGE OF NAME OR TRADE NAME**

In the event a carrier finds it necessary to change its name or trade name, its certificate of exemption must be presented to the Division for cancellation, and a new certificate will be issued in lieu thereof.

Note: Titles to motor vehicles are matters of public record, and any change in the name or trade name of the registered owner requires a corresponding change in the title to the vehicle and registration card.

*History Note:* Authority G.S. 20-378;  
Temporary Rule Eff. February 11, 1986 for a period of 120 days to expire on June 11, 1986;  
Eff. April 1, 1986;  
Transferred and Recodified from 19A NCAC 3D .0805 Eff. January 3, 1996;

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.*

#### **19A NCAC 03E .0504 TRANSFER OF CERTIFICATES OF EXEMPTION**

Certificates of exemption shall not be sold, assigned or transferred.

*History Note: Authority G.S. 20-378;  
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Transferred and Recodified from 19A NCAC 3D .0806 Eff. January 3, 1996;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.*

#### **19A NCAC 03E .0505 INSURANCE AND SAFETY RULES: EXEMPT PASSENGER CARRIERS**

In the application of the insurance and safety rules of the Division under G.S. 62-260(f) and certificates of exemption under G.S. 62-260(g), the term "motor carriers" as included in said sections shall be construed under the definition in G.S. 62-3(17) to be limited to motor common carriers or motor contract carriers of exempt passengers for hire who have been issued certificates of exemption by the Division.

*History Note: Authority G.S. 20-378;  
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Eff. April 1, 1986;  
Amended Eff. January 1, 1994;  
Transferred and Recodified from 19A NCAC 3D .0807 Eff. January 3, 1996;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.*

#### **19A NCAC 03E .0506 REGULATION CARRIERS: USE OF RENTED OR LEASED VEHICLES**

(a) No carrier authorized to operate as a common carrier of property or as a contract carrier of property by the Utilities Commission shall use any vehicle of which such carrier is not the owner for the transportation of property for compensation, except under a bona fide written lease from the owner, subject to the following conditions:

- (1) The lessee shall use such vehicles only for purposes and within the territory covered by his operating authority and for the term of the lease.
- (2) The property transported shall be transported in the name of and under the responsibility of the said lessee, and under the direct supervision and control of the lessee.
- (3) The drivers of said leased equipment shall be directly supervised and controlled by lessee.
- (4) The name, address and certificate or permit number assigned to the lessee shall be displayed on the leased vehicle as required by the Utilities Commission.
- (5) The vehicle shall be covered by insurance in the name of the lessee as required by the Utilities Commission.
- (6) The lease shall specify a definite effective period, the amount of consideration to the lessor, and shall list and describe the equipment covered.
- (7) A legible copy of the executed lease shall be carried in the leased vehicle at all times, unless a certificate as provided in Paragraph (a)(8) of this Rule is carried in lieu thereof.
- (8) Unless a copy of the lease is carried on the equipment as provided in Paragraph (a)(7) of this Rule, the authorized carrier shall prepare a statement certifying that the equipment is being operated by it, which shall specify the name of the owner, the date of the lease, the period thereof, any restrictions therein relative to the commodities to be transported, and the location of the premises where the original of the lease is kept by the authorized carrier, which certificate shall be carried with the equipment at all times during the entire period of the lease.

Exception: The provisions of this Rule shall not apply to the interchange of trailers.

(b) No common or contract carrier of property shall lease its equipment for private use in the transportation of commodities which it is authorized to transport by authority of the Utilities Commission, and no common or contract carrier of property shall lease equipment with drivers to private carriers or shippers under any circumstance.

(c) The rules and regulations relating to lease and interchange of vehicles, as prescribed in the Code of Federal Regulations, Title 49 - Transportation, Chapter X - Interstate Commerce Commission, Sub-Chapter A - General Rules and Regulations, Part 1057 - Lease and Interchange of Vehicles, to the extent that said regulations are not in conflict with the North Carolina Statutes, shall apply to all motor carriers of property authorized by the North Carolina Utilities Commission to operate in North Carolina; and are incorporated by reference including any subsequent amendments. Code of Federal Regulations Title 49 - Transportation, Chapter X can be purchased for nineteen dollars (\$19.00) from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 371954, Washington, D.C. 15250. Make check payable to Superintendent of Documents.

*History Note:* Authority G.S. 20-378;  
Temporary Rule Eff. February 11, 1986 for a period of 120 days to expire on June 11, 1986;  
Eff. April 1, 1986;  
Amended Eff. January 1, 1994; November 1, 1991;  
Transferred and Recodified from 19A NCAC 3D .0808 Eff. January 3, 1996;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.

#### **19A NCAC 03E .0507 BEGINNING OPERATIONS FOR THE TRANSPORTATION OF PASSENGERS**

(a) An order of the Utilities Commission, approving an application, or the issuance of a certificate or a permit, or a certificate of exemption issued by the Division for the transportation of passengers, does not within itself authorize the carrier to begin operations. Operations are unlawful until the carrier shall have complied with G.S. 62-325, Rule R2-22 by:

- (1) Registration of its rolling equipment with the Division on Form MC-19.
- (2) Filing insurance with the Division covering its rolling equipment or by providing other security for the protection of the public, as provided by the Utilities Commission.
- (3) In the case of common and contract carriers, filing tariffs and schedules or rates and charges with the Utilities Commission to be made for the transportation service authorized, as provided by the Utilities Commission.

(b) Unless a common or contract carrier complies with the foregoing requirements and begins operating, as authorized, within a period of 30 days after the commission's order approving the application becomes final, and unless the time is extended in writing by the Utilities Commission upon written request, the operating rights therein granted will cease and determine.

*History Note:* Authority G.S. 20-378;  
Temporary Rule Eff. February 11, 1986 for a period of 120 days to expire on June 11, 1986;  
Eff. April 1, 1986;  
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Transferred and Recodified from 19A NCAC 3D .0809 Eff. January 3, 1996;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.

#### **19A NCAC 03E .0508 REGISTRATION OF VEHICLES**

(a) Before beginning operations as a common carrier or as a contract carrier or as an exempt for hire passenger carrier all vehicles to be used in the operation must be registered with the Division.

(b) New or additional vehicles may be added to an operation at any time by registration of the same with the Division and the payment of a registration fee.

(c) All registered vehicles to be continued in the service after the close of the year must be reregistered for the following year by payment of the reregistration fee.

*History Note:* Authority G.S. 20-378;  
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Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.

#### **19A NCAC 03E .0509 INSPECTION OF VEHICLES: BOOKS: RECORDS: ETC.**

(a) Authorized representatives of the Division, upon demand and display of proper credentials, shall be permitted by any carrier transporting, or authorized to transport, property or passengers over the public highways of North Carolina to examine the books, records, accounts, bills of lading, load sheets or manifests, or other records of such carrier relating to the transportation of property or passengers and the vehicles, terminals, buildings, and other equipment and facilities used by such carrier in such transportation business; and all such carriers shall instruct their drivers, agents and employees in charge of such records, equipment and facilities to permit such examination.

(b) Representatives of the Division authorized to make inspections under the provisions of Chapter 20, Article 17 and these Rules shall be provided with a card of identification. They shall have the right at any time to enter into or upon any motor vehicle being operated under Chapter 20, Article 17, and to which these Rules apply, including exempt for hire passenger vehicles, for the purpose of ascertaining whether or not the provisions of the law and these Rules are being complied with. Willful refusal of any carrier or driver of any such motor vehicle to stop or discontinue the use of any such motor vehicle until properly conditioned, when ordered to do so by any such representative, or to permit such representative to enter into or upon the same for the purpose aforesaid, shall be sufficient ground for the revocation of the violator's certificate or permit or exemption certificate, as the case may be. Inspectors shall report all irregularities under this Rule to the Division. The Division's jurisdiction under this Rule is extended to include bus stations, carriers' offices and garages.

(c) No inspector or other agent of the Division shall knowingly and willfully divulge any fact or information which may come to his knowledge during the course of any such examination or inspection except to the Division or Utilities Commission or as may be directed by the Division or upon approval of request by the Utilities Commission or by a court or judge.

*History Note:* Authority G.S. 20-378;  
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Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.

**19A NCAC 03E .0510 INTERSTATE CARRIERS: REGISTRATION OF CERTIFICATES: PERMITS**  
**19A NCAC 03E .0511 REGISTRATION OF INTERSTATE AUTHORITY**

*History Note:* Authority G.S. 20-378;  
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Expired Eff. October 1, 2018 pursuant to G.S. 150B-21.3A.

**19A NCAC 03E .0512 SINGLE STATE REGISTRATION**

*History Note:* Filed as a Temporary Rule Eff. February 11, 1986 for a period of 120 days to expire on June 11, 1986;  
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Amended Eff. April 30, 1997;  
Expired Eff. October 1, 2018 pursuant to G.S. 150B-21.3A.

**19A NCAC 03E .0513 EVIDENCE OF LIABILITY SECURITY**

(a) All interstate motor carriers shall keep in force at all times public liability and property damage insurance in amounts not less than the minimum limits prescribed by the U.S. Department of Transportation or Interstate Commerce Commission. There shall be filed with the Division a Form E (Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance) as set forth in the rules in this Section. A BMC91 (Uniform Motor Carrier Bodily Injury and Property Damage Certificate of Insurance) or a BMC91X (Motor Carrier Automobile Bodily Injury Liability and Property Damage Liability) shall be filed with the Division if a motor carrier has authority from U.S. DOT.

(b) Notice of cancellation of insurance shall be given to the Division by the insurer. The BMC35 (Notice of Cancellation of Motor Carrier Insurance) shall be filed to cancel the BMC91 or BMC91X.

(c) Such motor carriers who have been permitted to post bond in lieu of insurance or who have qualified as self-insurers, under the rules and regulations of the U.S. DOT, shall not engage in interstate commerce within the borders of this state unless and until such carriers have filed surety bonds (Form G, Uniform Motor Carrier Bodily Injury and Property Damage Liability Surety Bond) which have been accepted by the Division or a true and legible copy of the currently effective U.S. DOT order authorizing such motor carrier to self-insure under the provisions of the Interstate Commerce Act. Notice of cancellation of surety bonds shall be given to the Division by filing Form L (Uniform Notice of Cancellation of Motor Carrier Surety Bond).

(d) A BMC91 or BMC91X shall not be accepted unless it is issued by an insurance company authorized by U.S. DOT.

*History Note:* Authority G.S. 20-378;  
Temporary Rule Eff. February 11, 1986 for a period of 120 days to expire on June 11, 1986;  
Eff. April 1, 1986;  
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Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.

**19A NCAC 03E .0514 ISSUANCE OF REGISTRATION RECEIPT**  
**19A NCAC 03E .0515 DESIGNATION OF PROCESS AGENT**

*History Note:* Authority G.S. 20-378;  
Filed as a Temporary Rule Eff. February 11, 1986 for a period of 120 days to expire on June 11, 1986;  
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**19A NCAC 03E .0516 VIOLATIONS DECLARED UNLAWFUL**

*History Note:* Filed as a Temporary Rule Eff. February 11, 1986 for a period of 120 days to expire on June 11, 1986;  
Authority G.S. 20-378; 20-387;  
Eff. April 1, 1986;  
Repealed Eff. January 1, 1994 pursuant to 1991 S.L., c. 477, s. 3;  
Transferred and Recodified from 19A NCAC 3D .0818 Eff. January 3, 1996.

**19A NCAC 03E .0517 RETENTION OF RECORDS**

The rules and regulations relating to destruction of records as prescribed in the Code of Federal Regulations, Title 49 - Transportation, Chapter X, Interstate Commerce Commission, Sub-Chapter A - General Rules and Regulations, Part 1226 - Motor Carriers and Brokers, to the extent that such regulations are not in conflict with the North Carolina Statutes, shall apply to all motor carriers authorized by the North Carolina Utilities Commission to operate in North Carolina, and, are incorporated by reference including any subsequent amendments. Code of Federal Regulations Title - 49 Transportation, Chapter X part 1226 can be purchased for twenty one dollars (\$21.00) by writing to the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 371954, Washington, D.C. 15250. Make check payable to the Superintendent of Documents.

*History Note:* Authority G.S. 20-378;  
Temporary Rule Eff. February 11, 1986 for a period of 120 days to expire on June 11, 1986;  
Eff. April 1, 1986;  
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**19A NCAC 03E .0518 REGISTRATION: EXEMPT INTERSTATE MOTOR CARRIERS: DEFINITIONS**

The following letters and words, when used in Rules .0519 through .0525 of this Section, shall have the following meanings, unless otherwise clearly apparent from the context:

- (1) The words "driveaway operation" shall mean an operation in which any vehicle or vehicles, operated singly or in lawful combinations, new or used, not owned by the transporting motor carrier, constitute the commodity being transported;
- (2) The letters "U.S. DOT" shall mean the United States Department of Transportation;
- (3) The word "law" shall include constitutional and statutory provisions and rules adopted by the North Carolina Division of Motor Vehicles;
- (4) The words "motor carrier" shall mean a motor carrier of passengers or property for compensation engaged in interstate or foreign commerce when its operation is exempt from economic regulation by the U.S. DOT under the Interstate Commerce Act, as amended;
- (5) The letters "NARUC" shall mean the National Association of Regulatory Utility Commissioners;
- (6) The words "State Commission", "Commission", or "Division" shall mean the North Carolina Division of Motor Vehicles;
- (7) The word "vehicle" shall mean a self-propelled or motor driven vehicle operated by a motor carrier; and
- (8) The words "within the borders" shall mean such operations deemed to include interstate or foreign operations to, from, within or traversing the state.

*History Note:* Authority G.S. 20-378;  
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**19A NCAC 03E .0519 REGISTRATION REQUIRED**

- (a) A motor carrier shall not operate within the borders of the state unless and until there shall have been filed with and approved by the Division an application for the registration of such operation as prescribed by the provisions of Rule .0521 of this Section, and there shall have been a compliance with all other requirements of this Section. A change in operation shall be reported by the prior filing of a supplemental application.
- (b) The application for the registration of such operation, and any supplemental application to report any change in operation, shall be in the form set forth in Form A-1 which is available from the Motor Carrier Regulatory Unit. The application shall be printed on a rectangular card or sheet of paper 11 inches in height and 8 and 2 inches in width. The application shall be duly completed and executed by an official of the motor carrier.
- (c) The application for the registration of such operation shall be filed in duplicate with the Division. The original shall be retained by the Division. The other copy of the application or an acknowledgment shall be transmitted to the motor carrier when the application is approved by the Division. The application shall be accompanied by a fee in the amount of twenty-five dollars (\$25.00).

*History Note:* Authority G.S. 20-378;  
Temporary Rule Eff. February 11, 1986 for a period of 120 days to expire on June 11, 1986;  
Eff. April 1, 1986;  
Amended Eff. January 1, 1994;  
Transferred and Recodified from 19A NCAC 03D .0821 Eff. January 3, 1996;  
Amended Eff. April 30, 1997;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.

- 19A NCAC 03E .0520 DESIGNATION OF PROCESS AGENT REQUIRED**
- 19A NCAC 03E .0521 VEHICLE REGISTRATION AND IDENTIFICATION REQUIRED**
- 19A NCAC 03E .0522 EVIDENCE OF LIABILITY SECURITY**
- 19A NCAC 03E .0523 REPRODUCTION OF FORMS**

*History Note:* Authority G.S. 20-378; 20-387;  
Filed as a Temporary Rule Eff. February 11, 1986 for a period of 120 days to expire on June 11, 1986;  
Eff. April 1, 1986;  
Amended Eff. January 1, 1994; November 1, 1991;  
Transferred and Recodified from 19A NCAC 3D .0822-.0825 Eff. January 3, 1996;  
Amended Eff. April 30, 1997;  
Expired Eff. October 1, 2018 pursuant to G.S. 150B-21.3A.

**19A NCAC 03E .0524 VIOLATIONS DECLARED UNLAWFUL: CRIMINAL PENALTIES**

*History Note:* Filed as a Temporary Rule Eff. February 11, 1986 for a period of 120 days to expire on June 11, 1986;  
Authority G.S. 20-378; 20-387;  
Eff. April 1, 1986;  
Repealed Eff. January 1, 1994 pursuant to 1991 S.L., c. 477, s. 3;  
Transferred and Recodified from 19A NCAC 3D .0826 Eff. January 3, 1996.

**19A NCAC 03E .0525 INVESTIGATION OF MOTOR CARRIER ACCIDENTS**

*History Note:* Filed as a Temporary Rule Eff. February 11, 1986 for a period of 120 days to expire on June 11, 1986;  
Authority G.S. 20-378;  
Eff. April 1, 1986;  
Repealed Eff. November 1, 1991;  
Transferred and Recodified from 19A NCAC 3D .0827 Eff. January 3, 1996.