

**19A NCAC 03K .0103 REVIEW OF DENIAL FOR IGNITION INTERLOCK SYSTEM**

(a) The Division of Motor Vehicles shall develop a form affidavit containing the applicant's name, driver's license number, identification number, or customer number, and the requirements set forth in G.S. 20-179.5(c). The form affidavit shall be posted on the Division's website at [www.ncdot.gov/dmv](http://www.ncdot.gov/dmv).

(b) Pursuant to G.S. 20-179.5(b), the vendor shall deliver the decision on the waiver application to the applicant via personal service or certified mail. Within 30 days of service of the decision of the vendor, the applicant shall submit a written appeal to the Division of Motor Vehicles setting forth the facts, arguments, and all documents as set out in G.S. 20-179.5 upon which the appeal is based. The appeal shall be served upon the agency's process agent to the Division via certified mail pursuant to G.S. 1A-1, Rule 4(j) of the Rules of Civil Procedure.

(c) Upon receipt of the written appeal, the Division shall review the written appeal and the vendor's decision, as well as any documents, exhibits, or other evidence bearing on the appeal, and shall render the final agency decision, supported by findings of fact. The final agency decision shall be given in accordance with G.S. 20-48.

*History Note:* Authority G.S. 20-2(b); 20-48; 20-179.5; S.L. 2021-182;  
Temporary Adoption Eff. May 27, 2022.