

13 NCAC 15 .0104 NOTIFICATION OF DECISION BY OWNER OR OPERATOR

(a) Whenever the owner or operator of any device or equipment has received an order from the Commissioner that the use of the device or equipment should be stopped or limited pursuant to G.S. 95-110.6, 95-111.6, or 95-123, he shall notify the Director in writing within 15 days of receipt of such order:

- (1) certifying that the device or equipment has been repaired or altered in compliance with the Commissioner's specifications;
- (2) indicating his intention to comply with the standards of safety for such devices or equipment with the understanding that:
 - (A) the use of the device or equipment will be limited as specified by the Commissioner's order;
 - (B) the certificate of operation is suspended until the device or equipment has been repaired or altered in compliance with the Commissioner's specifications; or
 - (C) the certificate of operation has been permanently revoked; or
- (3) requesting a hearing pursuant to Chapter 150B of the General Statutes.

(b) Where the owner or operator fails to notify the Director within 15 days of receipt of the order or refuses to discontinue or limit operation of the device or equipment, the Director may obtain injunctive relief on behalf of the Commissioner.

History Note: Authority G.S. 95-110.5; 95-110.6; 95-111.4; 95-111.6; 95-120; 95-123;
Eff. August 1, 1987;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 5, 2016.