

15A NCAC 02D .1006 SALE AND SERVICE OF ANALYZERS

(a) Definition. For the purposes of this Rule, "vendor" means any person who sells or leases equipment to inspection stations that is used to measure emissions from motor vehicles for the purpose of showing compliance with Rule .1004 of this Section or that is used to perform on-board diagnostic tests to show compliance with Rule .1005 of this Section.

(b) Requirements. A vendor shall not sell or lease equipment unless it meets the requirements of 40 CFR 85.2231 On-board Diagnostic Test Equipment Requirements, and has the software necessary to record and transmit the data required by the Division of Motor Vehicles and the Division of Air Quality to determine compliance with the inspection/maintenance program requirements of this Section.

(c) Hardware repair and software repair. When equipment hardware or software fails to meet the requirements of Paragraph (b) of this Rule for a particular analyzer, the vendor, after receiving a call to its respective service call center, shall communicate with the impacted station within 24 hours and:

- (1) Where the hardware problem is stopping 20 percent or more inspections for a particular analyzer or is compromising the security of the inspection system, the vendor shall repair the problem within 48 hours after the initial call to its respective service call center.
- (2) Where the hardware problem is stopping less than 20 percent of all inspections for a particular analyzer and is not compromising the security of the inspection system, the vendor shall repair the problem within 72 hours after the initial call to its respective service call center.
- (3) Where the hardware problem is not stopping inspections and is not compromising the security of the inspection system, the vendor shall repair the problem within 96 hours after the initial call to its respective service call center.

(d) Software repair revisions. When analyzer software fails to meet the requirements of Paragraph (b) of this Rule, the vendor, after receiving a call to its respective service call center, shall communicate with the station within 24 hours. The vendor shall identify and characterize the software problem within 5 days. The vendor shall, within that same 5-day period, inform the station owner and the Division as to the nature of the problem and the proposed corrective course of action and:

- (1) Where the software problem is stopping 20 percent or more inspections for a particular analyzer or is compromising the security of the inspection system, the vendor shall submit a new revision of the software to the Division for approval within 19 days after receiving the initial call to its service call center.
- (2) Where the software problem is stopping less than 20 percent of all inspections for a particular analyzer and is not compromising the security of the inspection system, the vendor shall submit a new revision of the software to the Division for approval within 33 days after receiving the initial call to its service call center.
- (3) The vendor shall distribute the new revision of the software to all impacted stations within 14 days after the vendor receives written notification from the Division that the software has been approved as meeting the requirements of Paragraph (b) of this Rule.

(e) Documentation of the initial service call. The vendor's service call center shall assign a unique service response number to every reported new hardware or software problem. The time and date of the initial call shall be recorded and identified with the service response number. The service response number shall be communicated to the inspection station operator at the time of the initial contact.

History Note: Authority G.S. 143-215.3(a)(1); 143-215.107(a)(6), (14); Eff. January 1, 2007.