

1 01 NCAC 38 .0201 is readopted as published in 34:01 NCR 2 as follows:

2
3 **SECTION .0200 - MAINTENANCE AND CARE OF VEHICLES**

4
5 **01 NCAC 38 .0201 GENERAL REPAIRS AND MAINTENANCE**

6 ~~(a) The maintenance of permanent assigned and agency assigned vehicles is the responsibility of the individual and~~
7 ~~agency to whom the vehicle is assigned. The driver or agency may obtain any required maintenance at any Division~~
8 ~~motor pool or any state-owned facility or any approved commercial facility. Charges for this maintenance are billed~~
9 ~~to the Division.~~

10 ~~(b) The maintenance of temporarily assigned vehicles is the responsibility of the Division.~~

11 ~~(c) All maintenance and repairs must have prior authorization by calling 1-800-277-8181 or 733-4043 (in Raleigh~~
12 ~~calling area) with the details of the maintenance and an estimate of the cost. Authorized charges for maintenance or~~
13 ~~repairs shall be billed to the Division for payment. In case of holidays, nights or weekends, an authorization request~~
14 ~~must be left with the Division's answering service. Any unauthorized repair expense will be billed to the agency to~~
15 ~~which the vehicle is assigned.~~

16 (a) Maintenance of Division vehicles is the responsibility of the individual and Agency to whom the vehicle is
17 assigned. assigned shall maintain and make any necessary repairs to Division vehicles. Maintenance shall include oil
18 changes, tire rotations, transmission or engine service.

19 (b) All Prior to any maintenance and repairs, repairs, the individual or the Agency shall have prior authorization by
20 contacting the dedicated repair authorization line provided in the assignment document with the details of the
21 maintenance and an estimate of the cost.

22 (c) Authorized charges for maintenance or repairs shall be billed to the Division for payment. The Division may
23 invoice agencies for any unauthorized repair expenses to which the vehicle is assigned, when the repairs are
24 conducted off the assigned maintenance schedule or are in addition to what is recommended by the Division for the
25 vehicle.

26
27 *History Note: Authority G.S. 143-341(8)i;*

28 *Eff. October 1, 1992.*

29 *Readoption Eff. November 1, 2019*

1 01 NCAC 38 .0302 is readopted as published in 34:01 NCR 3 as follows:

2
3 **SECTION .0300 - ASSIGNMENT OF VEHICLES**
4

5 **01 NCAC 38 .0302 REQUESTS FOR ASSIGNMENT OF VEHICLES**

6 ~~(a) Temporary assignment requests for temporary assignment of vehicles shall be made on Form FM 2 signed by the~~
7 ~~proper agency supervisor and presented to the dispatcher at the assigning motor pool. Forms shall be provided by the~~
8 ~~Division to all requesting agencies.~~

9 ~~(1) Before a vehicle may be picked up, a valid North Carolina driver's license shall be presented to the~~
10 ~~motor pool dispatcher by the assigned driver and all other passengers who are subject to drive the~~
11 ~~vehicle during its temporary assignment.~~

12 ~~(2) Temporary assignments are intended to meet the needs of state employees who require~~
13 ~~transportation on a short term (one to thirty days) basis. All temporarily assigned vehicles shall be~~
14 ~~returned immediately upon completion of trip or at end of use.~~

15 ~~(3) Temporary assignments shall not be renewed.~~

16 ~~(4) If the vehicle assignment is originally requested for a period in excess of 30 calendar days, the~~
17 ~~request must be processed as a permanent assignment (see "Permanent Assignments" in this Rule).~~

18 ~~(5) All temporarily assigned vehicles shall be returned to the motor pool from which it was originally~~
19 ~~dispatched. During the temporary assignment, the driver should make note of any malfunctions~~
20 ~~encountered and any repairs and adjustments needed and report them to a fuel pump attendant upon~~
21 ~~returning the vehicle to the motor pool.~~

22 ~~(b) Permanent Assignments. Requests for vehicles to be assigned to individuals or agencies on a permanent or~~
23 ~~indefinite basis or for a period in excess of 30 calendar days shall be made on Form FM 30, signed by the department~~
24 ~~head or his/her designee, and forwarded to the Division at least 10 calendar days prior to date of need. A photocopy~~
25 ~~of the permanently assigned driver's valid North Carolina driver's license shall be submitted with the FM 30. All~~
26 ~~permanently assigned vehicles shall be returned to Motor Fleet Management on Blue Ridge Road, Raleigh, at the end~~
27 ~~of assignment unless otherwise instructed by the Division. The Division shall not approve requests for assignment or~~
28 ~~reassignment when the purpose of that assignment or reassignment is to provide any employee with a newer or lower~~
29 ~~mileage vehicle because of his or her rank, management authority, or length of service or because of any non~~
30 ~~job related reason. A reassignment (a transfer of a vehicle from one employee to another) may occur when filling~~
31 ~~vacant positions to which a vehicle is assigned. A form FM 30 must be submitted by the requesting agency and~~
32 ~~approved by the Division before the vehicle may be reassigned. The requesting agency must attach a memorandum to~~
33 ~~the FM 30 explaining the request for reassignment. If approved, a Division approved copy of the FM 30 will be sent~~
34 ~~to the agency granting permission for the new driver to take possession of the vehicle. All exchanges of lower mileage~~
35 ~~and/or better quality vehicles to senior or higher ranking employees and higher mileage and/or lower quality vehicles~~
36 ~~to junior employees will be denied.~~

1 ~~(c) The Division will not assign "special use" vehicles such as four wheel drive vehicles or law enforcement vehicles~~
2 ~~to any agency or individual except upon written justification, verified by historical data, and accepted by the Secretary~~
3 ~~of the Department of Administration.~~

4 ~~(1) All assignments of four wheel drive and law enforcement vehicles must be reviewed. A~~
5 ~~memorandum, accompanied by historical data, must be sent to the Division for each individual~~
6 ~~vehicle assigned.~~

7 ~~(2) All requests for "special use" vehicles must be on a completed FM 30 accompanied by a~~
8 ~~memorandum explaining the intended use of the vehicle. Attached to the memorandum should be~~
9 ~~evidence substantiating the necessity for this type of vehicle, which must be verified by historical~~
10 ~~data.~~

11 ~~(3) The agency or individual to whom the vehicle is assigned is responsible for forwarding this~~
12 ~~information to the Division. The Division will forward all justification requests to the Secretary of~~
13 ~~the Department of Administration.~~

14 ~~(4) The agency will be notified, in writing, of the Secretary's decision. If the assignment request is~~
15 ~~denied, the requesting agency will be notified by the Division of a date for the return of the vehicle~~
16 ~~to the Division.~~

17 (a) Permanent Assignments. Requests for Division vehicles to be assigned to individuals or agencies shall be on the
18 Division form and shall include:

19 (1) contact information on the requesting individual and the Agency;

20 (2) copy of a valid North Carolina driver's license;

21 (3) description of the requesting individual or Agency's vehicle needs and planned usage; and

22 (4) signature by the Agency's Director or his or her designee.

23 (b) "Special Use" Assignments. In addition to the requirements set forth in Paragraph (a) of this Rule, written
24 justification, verified by historical data shall be included on the official Division form for each "special use" vehicle
25 assigned. All assignments of "special use" vehicles shall be reviewed and approved by the Secretary. **Secretary in**
26 **accordance with G.S. 143-341(8)(i)(5).**

27
28 *History Note: Authority G.S. 143-341(8)i;*

29 *Eff. October 1, 1992.*

30 *Readopted Eff. November 1, 2019*

31

1 01 NCAC 38 .0305 is readopted as published in 34:01 NCR 4 as follows:

2
3 **01 NCAC 38 .0305 REMOVAL OF VEHICLES FROM INDIVIDUAL AND AGENCY ASSIGNMENT**

4 Permanent vehicle assignment to individuals or agencies ~~may~~ **shall** be revoked if any of the following occur:

- 5 (1) ~~If the vehicle is used for any purpose other than official state business.~~
6 (2) ~~If reports are not submitted to the Department of Administration, or if the report is inaccurate,~~
7 ~~incomplete or correction is not made within 30 days of request.~~
8 (3) ~~If false information is willfully submitted on any report or application.~~
9 (4) ~~If reports or forms are not signed properly and correction is not made within 30 days of a request to~~
10 ~~do so.~~
11 (5) ~~If vehicle abuse occurs. Abuse includes, but is not limited to, improper care and maintenance of the~~
12 ~~vehicle willful damage to the vehicle (destruction of interior or exterior, ordinary wear and tear~~
13 ~~excepted).~~
14 (6) ~~If the vehicle is not being driven the 3,150 miles quarterly minimum mileage requirement and lower~~
15 ~~mileage cannot be justified.~~
16 (7) ~~If violations of Motor Vehicle laws are committed.~~
17 (8) ~~Any other willful violation of these Rules.~~
18 (1) a **violation-conviction** of G.S. 20 or other state motor vehicle laws in which the vehicle is traveling;
19 (2) any violation of G.S. 143-341(8)(i)(7a) is committed;
20 (3) any vehicle abuse which may include not providing maintenance in accordance with the assigned
21 maintenance schedule set for the vehicle, not providing repairs when needed, **or** destruction of the
22 interior or exterior not due to the natural aging of the vehicle; and
23 (4) any other **willful** violation of the Rules of this Section.

24
25 *History Note: Authority G.S. 143-341(8)i;*
26 *Eff. October 1, 1992.*
27 *Readopted Eff. November 1, 2019*
28

1 01 NCAC 38 .0401 is readopted as published in 34:01 NCR 5 as follows:

2
3 **SECTION .0400 - VEHICLE USE**
4

5 **01 NCAC 38 .0401 OFFICIAL USE ONLY**

6 (a) State-owned ~~passenger-carrying~~ vehicles shall be driven only by state employees and used for official state
7 business ~~only, except in accordance with this Rule. It shall be unlawful for any state employee to use a state-owned~~
8 ~~vehicle for any private purpose whatsoever. Commuting privileges approved by the Division are not considered a~~
9 ~~private purpose.~~

10 (b) An employee ~~with an individual permanently assigned vehicle~~ may drive the vehicle to and from ~~his/her~~ his or
11 her home when one or more of the following conditions exist:

- 12 (1) ~~By~~ by virtue of ~~his/her~~ his or her position, the employee is entitled to use the vehicle and is so
13 approved and authorized by the Secretary of ~~Administration.~~ Administration. Administration in
14 accordance with IRS Publication 15-B herein incorporated by reference including subsequent
15 amendments and additions. This document may be accessed at
16 <https://www.irs.gov/publications/p15b> at no cost.
- 17 (2) ~~See G.S. 143-341(8)(i)(7a).~~ the employee is entitled to use the vehicle for commuting purposes in
18 accordance with G.S. 143-341(8)(i)(7a);
- 19 (3) ~~Employee's home is his/her~~ the employee's home is his or her official work station and the vehicle
20 is parked at home when not being used for official ~~business.~~ business; or
- 21 (4) ~~State-owned~~ the state-owned vehicle is required for a trip the following workday and employee's
22 home is closer to the destination than the ~~regular~~ official work station, and the employee does not
23 have to report to ~~his/her regular~~ his or her work station before beginning the trip. ~~Frequent~~
24 ~~occurrence of this situation would require the Division's approval.~~

25 ~~(c) Temporary and agency assigned vehicles may not be driven to an employee's home unless one of the above four~~
26 ~~conditions apply.~~

27
28 *History Note: Authority G.S. 143-341(8)i;*

29 *Eff. October 1, 1992;*

30 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
31 *2018.*

32 *Readopted Eff. November 1, 2019*
33

1 01 NCAC 43A .0309 is readopted as published in 34:01 NCR 6 as follows:

2

3 **01 NCAC 43A .0309 REJECTION OF BIDS**

4 (a) Any and all bids may be ~~rejected.~~ **rejected if in the best interest of the state.**

5 (b) Bids may also be rejected in whole or in part if:

6 (1) The **winning** bidder has failed to pay for or pick up surplus property awarded;

7 (2) The bid is submitted by an ineligible bidder pursuant to Rule .0315 of this Section;

8 (3) The bid does not **fully** comply with the terms and conditions of the ~~request/solicitation for bid;~~ State
9 Surplus Property Agency;

10 (4) The bid is not legible or ~~lacks completeness;~~ the information provided is inaccurate, incomplete or
11 needs clarification;

12 (5) The bid does not comply with the ~~bid policies of State Surplus Property Agency;~~ requirements of
13 the request and solicitation as set forth in the bid; or

14 (6) Bid rejection is recommended by the State Capitol Police, State Bureau of Investigation, Federal
15 Bureau of Investigation, or other Homeland Security entity. In such cases, the security entity must
16 provide a written statement requesting rejection and that the recommendation is based on homeland
17 security concerns. In the event of receipt of a security based bid rejection recommendation, the State
18 Surplus Property Agency shall reject the bid without further supporting documentation.

19 (b) ~~If a bid is rejected in whole or part, the subject property may be re-advertised, sold at the highest bidder's amount,~~
20 ~~the next higher bid accepted, or sale negotiated, in the best interests of the State, without recourse to further bidding.~~

21 (c) If a bid is rejected in whole or in part, State Surplus Property may:

22 (1) re-advertise the property;

23 (2) award the property to the next highest bidder from the initial bid; or

24 (3) negotiate the sale of the property in the best interest of the State.

25

26 *History Note: Authority G.S. 143-64.01; 143-64.04;*

27 *Eff. July 1, 2007.*

28 *Readopted Eff. November 1, 2019*

29

1 01 NCAC 43A .0311 is readopted as published in 34:01 NCR 6 as follows:

2
3 **01 NCAC 43A .0311 INSPECTION OF PROPERTY**

4 ~~Bidders are urged to inspect property prior to submitting bids. All property is sold "as is" and "where is." Any property~~
5 ~~descriptions provided by the State are solely as an aid to identification. Verbal communications by custodians of~~
6 ~~property cannot be deemed reliable, and will not be considered by the State Surplus Property Agency. Reasonable~~
7 ~~opportunity will be afforded for inspection up to the time for opening bids, but no labor will be furnished for such~~
8 ~~purpose. The purchaser assumes all liability for the property after award is made.~~

9 (a) All property is sold "as is" and "where is." Bidders may inspect property prior to submitting bids. Opportunity **will**
10 **shall** be afforded for inspection up to the time a bid is awarded, but no labor or materials shall be furnished to a bidder
11 for such purpose.

12 (b) ~~Once the award is made, the bidder shall assume all liability for the property.~~ Photographs and descriptions are
13 provided for the purpose of aiding the bidder to identify the property and shall not be used to determine quality or
14 condition of the property. Descriptions by the custodian of the property shall not be considered by the State Surplus
15 Property Agency nor **will shall** they be grounds for disputing an award.

16
17 *History Note: Authority G.S. 143-64.01; 143-64.04;*

18 *Eff. June 1, 2007.*

19 *Readopted Eff. November 1, 2019*

20

1 01 NCAC 43A .0312 is readopted as published in 34:01 NCR 6 as follows:

2

3 **01 NCAC 43A .0312 STATE DOES NOT GUARANTEE**

4 ~~The description of the property offered for sale is compiled from available information. All property is sold "as is"~~
5 ~~and "where is." In addition, all property offered for sale or a portion thereof is subject to withdrawal prior to the bid~~
6 ~~opening date. A refund or an adjustment will not be made on account of property not meeting expectations, a bidder's~~
7 ~~failure to inspect prior to sale, or change of condition of property from the time of award to the time of pickup. Any~~
8 ~~cost of weighing, packaging, crating, loading or hauling property is assumed by the bidder unless otherwise provided.~~

9 (a) The description of the property offered for sale is compiled from information available to the State Surplus
10 Property Agency at the time the bid is prepared. All property is sold "as is" and "where is."

11 (b) State Surplus Property Agency may withdrawal the offer to sell prior to the award date, when in the best interest
12 of the State.

13 (c) The winning bidder shall be responsible for any cost of weighing, packaging, crating, loading or hauling of
14 property.

15

16 *History Note: Authority G.S. 143-64.01; 143-64.04;*

17 *Eff. June 1, 2007.*

18 *Readopted Eff. November 1, 2019*

19

1 01 NCAC 43A .0313 is readopted as published in 34:01 NCR 6-7 as follows:

2

3 **01 NCAC 43A .0313 REFUNDS**

4 ~~Refunds or adjustments due to change in condition from time of inspection until time of award are limited to the~~
5 ~~change in value as determined by the State Surplus Property Officer. In such cases, the State Surplus Property Officer~~
6 ~~may remove the property from bid or reverse the award and re bid the property.~~

7 **(a)** No refund shall be made upon the following:

8 (1) property not meeting **the bidder's** expectation;

9 (2) bidder's failure to inspect prior to sale; or

10 (3) change of condition of property from the time of award to the time of pickup.

11 **(b)** No refund shall be given unless a change in value has occurred from the initial inspection of the property until the
12 time of the award as determined by the State Surplus Property Officer. **Officer based on condition of the property.**

13

14 *History Note: Authority G.S. 143-64.01; 143-64.04;*

15 *Eff. June 1, 2007.*

16 *Readopted Eff. November 1, 2019*

17

1 01 NCAC 43A .0314 is readopted as published in 34:01 NCR 7 as follows:

2

3 **01 NCAC 43A .0314 EXTENSION TO PAY OR REMOVE PROPERTY**

4 (a) Extensions to pay or remove property ~~may~~ **shall** be granted under the following conditions:

5 (1) ~~The~~ the purchaser's inability to pay or remove property ~~was~~ is due to the actions or inactions of the
6 State Surplus Property Agency or the custodian of the ~~property,~~ property; and

7 (2) ~~In the case of removal of property,~~ the State Surplus Property Officer determines that space is
8 ~~available.~~ available to allow a delay in the removal of property.

9 (b) The purchaser ~~waives all rights to recourse for~~ shall not be eligible for refund for the change in the condition of
10 the property as a condition of the extension.

11

12 *History Note: Authority G.S. 143-64.01; 143-64.04;*

13 *Eff. June 1, 2007.*

14 *Readopted Eff. November 1, 2019*

15

1 01 NCAC 43A .0315 is readopted as published in 34:01 NCR 7 as follows:

2

3 **01 NCAC 43A .0315 FAILURE TO PAY OR REMOVE PROPERTY**

4 (a) **Unless extended in accordance with Rule .0314 of this Chapter, if** ~~the successful bidder fails to pay in full for~~
5 ~~the property by the time and date indicated on the notice of award, the award shall be rescinded, the property resold,~~
6 and the defaulting bidder shall be charged with loss to the State, if any, together with all expenses of the sale.

7 (b) If the ~~successful~~ bidder does not remove the property purchased by the time and date indicated on the notice of
8 award, the State Surplus Property Agency shall retain the purchase ~~price~~ price, and resell the property a second time
9 and retain all proceeds therefrom.

10 (c) ~~Successful bidders~~ Bidders who fail to pay shall be ineligible for award of future bids.

11

12 *History Note: Authority G.S. 143-64.01; 143-64.04; 143-64.05;*

13 *Eff. June 1, 2007.*

14 *Readopted Eff. November 1, 2019*

15

1 01 NCAC 43A .0316 is readopted as published in 7 NCR # as follows:

2

3 **01 NCAC 43A .0316 BOND**

4 (a) The selling ~~agency entity~~ or the State Surplus Property Agency may require performance bonds for the purchase
5 of ~~commodities~~. commodities when hazards to the environment may occur on property and ~~requires-require~~ additional
6 costs.

7 (b) The selling ~~agency entity~~ or the State Surplus Property Agency shall set the amount and terms of the ~~bond~~. bond
8 based on an assessment of the property and estimated value.

9 (c) Selling agencies shall document the need for performance bonds.

10 (d) Selling agencies shall request a bond release from the State Surplus Property Agency once the requirements of
11 the bond have been met by the ~~successful~~ bidder.

12 (e) Selling agencies shall submit a ~~justification~~ a letter verifying compliance with the terms of the bond to the State
13 Surplus Property Agency for any ~~retention-refund~~ in whole or in part of the performance bond.

14 (f) The State Surplus Property Agency ~~is the final authority~~ shall make a determination on releasing the performance
15 ~~bond~~. bond based on the bidder's level of compliance with the terms of the bond.

16

17 *History Note: Authority G.S. ~~143-53(a)~~; 143-64.01; 143-64.04; 143-64.05;*

18 *Eff. June 1, 2007.*

19 *Readopted Eff. November 1, 2019*

20

1 01 NCAC 43A .0317 is readopted as published in 34:01 NCR 7 as follows:

2

3 **01 NCAC 43A .0317 DEMOLITION OF STATE BUILDINGS**

4 (a) The State Surplus Property Agency ~~may, if in the best interest of the State, be responsible for handles~~ bids and
5 awards of contracts for the demolition of state ~~buildings~~ buildings, including those of universities, hospitals, and other
6 state ~~agencies, entities~~.

7 (b) ~~Requests for bid forms are sent to interested, contractors and are further available upon request.~~ The State Surplus
8 Property Office shall send a request for bid to any interested party upon request as well as to entities on a list
9 maintained by the State Surplus Property Office. Request for bids may be sent to the State Surplus Office via mail,
10 email, or through the online listserv request at [https://ncadmin.nc.gov/citizens/state-surplus-property/email-](https://ncadmin.nc.gov/citizens/state-surplus-property/email-notifications)
11 notifications.

12 (c) The owning ~~agency entity~~ shall submit ~~the requirements for permits, insurances, performance bonds and any other~~
13 ~~applicable requirements from local, state or federal authorities~~ a letter of approval pursuant to G.S. 143-341(4) from
14 the ~~Counsel~~ Council of State regarding the demolition of a state building to the State Surplus Property Agency.

15 (d) The ~~successful bidder is responsible for obtaining~~ shall obtain all necessary permits, insurances, licenses,
16 performance bonds and other requirements to complete the demolition.

17

18 *History Note: Authority G.S. 143-64.01; 143-64.04; 143-64.05;*

19 *Eff. June 1, 2007.*

20 *Readopted Eff. November 1, 2019*

21

01 NCAC 43A .0319 is readopted as published in 34:01 NCR 7-8 as follows:

01 NCAC 43A .0319 SURPLUS WEAPONS AND FIREARMS

(a) ~~Subject to~~ With the exception of service side arms within the scope of G.S. 20-187.2, ~~Surplus surplus~~ weapons and firearms possessed by the North Carolina State Highway Patrol, ~~North Carolina Department of Correction, North Carolina Division of Adult Correction and Juvenile Justice of the Department of Public Safety and the~~ North Carolina State Bureau of Investigation, ~~State Capitol Police, and other non-military armed state security agencies shall~~ may be sold through the State Surplus Property Agency to a federally licensed firearm dealer upon ~~notification in writing from the selling entity to the State Surplus Property Agency that such weapons or firearms are surplus.~~ written request pursuant to G.S. 143-63.1(d) to sell weapons on their behalf.

(b) The ~~notification in writing from the selling entity~~ written request shall list each weapon by description and serial number. ~~include the following information:~~ information for each weapon:

- (1) ~~weapon by description;~~ description by make and model number;
- (2) ~~serial number; number of each weapon; and~~
- (3) any federal or state restrictions on the sale of non-firearm weapons.

~~(c) Weapons and firearms are subject to transfer between non-military armed state security agencies.~~

~~(d) The selling agency is responsible for notifying the State Surplus Property Agency of any federal or state restrictions on sale of non-firearm weapons.~~

~~(d)(e) The State Surplus Property Agency, if requested, shall make available to federally licensed firearms dealers a list of firearms to be sold and a statement of the times and locations at which they may be inspected.~~

~~(c)(e)(f) Surplus weapons and firearms sales shall be made by competitive bids. public sale. sale in accordance with paragraph (b) or (d) of G.S. 143-63.1.~~

~~(d)(f)(g) When payment has been received in full by the State Surplus Property Agency, the~~ The State Surplus Property Agency shall authorize the release of the weapons to the ~~successful bidder; provided, however, that no weapons shall be released to any person without the production of satisfactory proof of identification and, in the case of firearms, a valid federal firearms license.~~ winning bidder upon receipt of the following information:

- (1) payment in full;
- (2) proof of identification; and
- (3) proof of eligibility which shall include:
 - (i) a valid federal firearms license, if the weapon is a firearm if purchased pursuant to G.S. 143-63.1(d); or
 - (ii) a notarized statement by the agency certifying the law enforcement need for the weapon, if purchased pursuant to G.S. 143-63.1(b).

History Note: Authority G.S. 143-63.1; 143-64.01; 143-64.04;

Eff. June 1, 2007.

Readopted Eff. November 1, 2019

1 01 NCAC 43A .0320 is readopted as published in 34:01NCR 8 as follows:

2

3 **01 NCAC 43A .0320 PAYMENT**

4 (a) All payments ~~must shall~~ be in the form of cash (~~retail sales only~~), ~~credit, debit~~, cashier's or certified check, postal
5 money order, or other ~~electronic payment~~ methods as approved by the Department of Administration Fiscal ~~Officer.~~
6 Officer which may include electronic payments.

7 (b) Payment for retail sales items ~~must shall~~ be made at the time of ~~purchase.~~ purchase and shall be made at the retail
8 site where the property is located.

9 (c) Payment in full for all ~~other property~~ purchases other than those made at a retail site ~~must shall~~ be made by the
10 time and date indicated on the notice of ~~award.~~ award and shall be made directly to the State Surplus Property Agency.

11 (d) Entities shall not accept payments on behalf of the State Surplus Property Agency.

12 (e) Extensions to pay or remove property ~~must shall~~ be in accordance with 01 NCAC 43A .0314.

13 (f) No property may be removed by the ~~successful~~ bidder prior to full payment of the purchase price. ~~Payments for~~
14 ~~retail sales shall be made at the retail site where the property is located. All other payments must be made directly to~~
15 ~~the State Surplus Property Agency. Agencies are not authorized to accept payments on behalf of the State Surplus~~
16 ~~Property Agency.~~

17 (g) ~~If an agency releases~~ Entities shall not release property prior to ~~receiving documentation~~ verifying that payment
18 in full has been made to the State Surplus Property ~~Agency Agency.~~ Agency Agency. ~~said agency entity~~ Entities shall assume all
19 liability responsibility related to the release.

20

21 *History Note: Authority G.S. 143-64.01; 143-64.04;*

22 *Eff. June 1, 2007.*

23 *Readopted Eff. November 1, 2019*

24