

G.S. 150B-21.3A Report for 01 NCAC 38, MOTOR FLEET MANAGEMENT DIVISION

Agency - Department of Administration

Comment Period - October 31, 2017 - January 2, 2018

Date Submitted to APO - February 19, 2018

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	SECTION .0100 - OPERATION OF THE DIVISION'S MOTOR POOLS	01 NCAC 38 .0101	DISPATCHING	Eff. October 1, 1992	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 38 .0102	GASOLINE PURCHASES	Eff. October 1, 1992	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 38 .0103	MILEAGE RATES	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		01 NCAC 38 .0104	CREDIT CARDS AND PUMP KEY	Eff. October 1, 1992	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 38 .0105	SERVICE FOR NON-MOTOR POOL VEHICLES	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0200 - MAINTENANCE AND CARE OF VEHICLES	01 NCAC 38 .0201	GENERAL REPAIRS AND MAINTENANCE	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		01 NCAC 38 .0202	ROUTINE MAINTENANCE	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 38 .0203	PREVENTIVE MAINTENANCE	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 38 .0204	ANNUAL SAFETY INSPECTIONS	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 38 .0205	ACCIDENT REPORTING	Eff. November 2, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		01 NCAC 38 .0206	DECALS AND BUMPER STICKERS ON VEHICLES	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 38 .0207	INSTALLATION OF EQUIPMENT	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0300 - ASSIGNMENT OF VEHICLES	01 NCAC 38 .0301	TYPES OF VEHICLE ASSIGNMENTS	Eff. October 1, 1992	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 38 .0302	REQUESTS FOR ASSIGNMENT OF VEHICLES	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		01 NCAC 38 .0303	DENIAL AND APPEAL PROCEDURES	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 38 .0304	VIOLATIONS	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 38 .0305	REMOVAL OF VEHICLES FROM INDIVIDUAL AND AGENCY ASSIGNMENT	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		01 NCAC 38 .0306	TERMINATION PROCEDURES	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 38 .0307	WEEKEND ASSIGNMENTS	Eff. October 1, 1992	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 38 .0308	RETURN OF ASSIGNED VEHICLES	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0400 - VEHICLE USE	01 NCAC 38 .0401	OFFICIAL USE ONLY	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 38 .0402	COMMUTING POLICY	Eff. October 1, 1992	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code

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		01 NCAC 38 .0403	TOLL CHARGES	Eff. October 1, 1992	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 38 .0404	PARKING AND STORING OF VEHICLES	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 38 .0405	MOTOR VEHICLE LAWS AND ORDINANCES	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 38 .0406	HITCHHIKERS	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 38 .0407	RELATIVES	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		01 NCAC 38 .0408	NON-STATE EMPLOYED PERSONS	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 38 .0409	USE OF STATE-OWNED VEHICLES FOR PRIVATE PURPOSES	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 38 .0410	OUT-OF-STATE TRAVEL	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 38 .0411	REPLACEMENT OF VEHICLES	Eff. October 1, 1992	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	SECTION .0500 - USE OF PRIVATELY OWNED VEHICLES	01 NCAC 38 .0501	STATE POLICY ON USE OF PRIVATE VEHICLES	Eff. October 1, 1992	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 38 .0502	REIMBURSEMENT AT STATUTORY RATE	Eff. October 1, 1992	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	SECTION .0600 - MISCELLANEOUS PROVISIONS	01 NCAC 38 .0601	TRANSPORTATION TO AND FROM MOTOR POOLS	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		01 NCAC 38 .0602	USE OF PRIVATE LICENSE PLATES	Eff. October 1, 1992	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		01 NCAC 38 .0603	DRIVING UNDER ADVERSE WEATHER CONDITIONS	Eff. October 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note