

1 15A NCAC 03O .0601 is adopted with changes as published in 39:07 NCR 383 as follows:

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3 **SECTION .0600 – INTERSTATE WILDLIFE VIOLATOR COMPACT (WVC)**

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5 **15A NCAC 03O .0601 WVC GENERAL PROVISIONS**

6 (a) The purpose of this Section is to establish the rules necessary to implement G.S. 113 Article 22B, the Interstate
7 Wildlife Violator Compact ~~(hereinafter referred to as WVC)-Compact.~~

8 (b) The rules in this Section shall apply to any person possessing a license, privilege, or right to take, possess, sell,
9 buy, or transport wildlife in the State of North Carolina. Violations under this Section apply only to offenses charged
10 by an inspector as set forth in laws or rules administered by the Division of Marine Fisheries or under G.S. 113-136(d).
11 The rules shall not apply to any offenses committed in North Carolina or any other WVC state prior to July 1, 2025.

12 (c) The definitions in G.S. 113-300.6 Article II shall apply throughout this Section and to all forms prescribed pursuant
13 to this Section, unless otherwise indicated.

14 (d) For the purpose of this ~~Section,~~ Section:

15 (1) "member state" shall mean "party state" as defined in G.S. 113-300.6.

16 (2) "violation" shall mean violation of any provision of Subchapter 113 of the North Carolina General
17 Statutes under the authority of the Marine Fisheries Commission or any rule adopted by the Marine
18 Fisheries Commission pursuant to Subchapter 113.

19 (2) "WVC" shall mean Wildlife Violator Compact.

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21 *History Note: Authority G.S. 113-134; 113-300.7;*
22 *Eff. May 1, 2025.*

1 15A NCAC 03O .0603 is adopted with changes as published in 39:07 NCR 383-384 as follows:

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3 **15A NCAC 03O .0603 WVC CONDITIONS FOR NORTH CAROLINA VIOLATIONS BY NON-**
4 **RESIDENTS**

5 (a) ~~All offenses-violations~~ charged by an inspector ~~as set forth in laws or rules administered by the Division of Marine~~
6 ~~Fisheries or under G.S. 113-136(d)~~ are subject to the provisions of the WVC.

7 (b) Non-residents of North Carolina who are residents of a WVC member state at the time of a misdemeanor violation
8 as set forth in Paragraph (a) of this Rule occurring in North Carolina may be released on personal recognizance when
9 the violation ~~consists of~~ results in a written citation requiring a violator to resolve the violation directly with the court,
10 either in person, by mail, or through an attorney.

11 (c) Upon failure to comply with the terms of a citation issued by an inspector, as determined by a court of competent
12 jurisdiction, the Division shall send notice of failure to ~~comply~~. ~~The notice shall be comply by~~ a letter sent by the U.S.
13 Postal Service to the last known address of the wildlife violator or be delivered ~~personally~~. ~~The Division shall~~
14 personally, and report the failure to comply to the non-resident's home state to start suspension procedures in
15 accordance with the Wildlife Violator Compact Operations Manual. The suspension procedures in the Wildlife
16 Violator Compact Operations Manual are incorporated by reference, including subsequent amendments and editions.
17 A copy of the Wildlife Violator Compact Operations Manual can be found at <http://www.ncwildlife.gov> or
18 <http://www.deq.nc.gov/wildlifeviolatorcompact>, at no cost.

19 (d) ~~To have any licenses or permits returned by the Division, the non resident shall submit to the Division a judgment,~~
20 ~~receipt, or other official record indicating that the citation has been resolved through the North Carolina Court System.~~
21 The Division shall return affected licenses and permits. License privileges shall only be restored when the citation is
22 resolved through the North Carolina Court System.

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24 *History Note: Authority G.S. 113-134; 113.300.6; 113-300.7;*
25 *Eff. May 1, 2025.*

1 15A NCAC 03O .0604 is adopted with changes as published in 39:07 NCR 384 as follows:

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3 **15A NCAC 03O .0604 WVC CONDITIONS FOR NORTH CAROLINA RESIDENTS FOR FAILURE TO**
4 **APPEAR OR FAILURE TO COMPLY IN ANOTHER WVC MEMBER STATE**

5 (a) North Carolina residents who commit a wildlife violation as defined by G.S. 113-300.6 in another WVC member
6 state, who upon release on personal recognizance from the issuing state, ~~failed-fail~~ to resolve the terms of his or her
7 citation, shall have any licenses and permits for which the Division of Marine Fisheries has enforcement authority in
8 North Carolina suspended pursuant to G.S. 113-300.7.

9 (b) If the Division receives notice of an unresolved ~~citation~~, citation from a member state, a Notice of Suspension
10 shall be prepared and sent to the wildlife violator as follows:

11 ~~(1) the suspension shall have a delayed effective date of at least 14 business days from the date of the~~
12 ~~mail used to send the notice of suspension to the wildlife violator, to allow the wildlife violator to~~
13 ~~contact the court in the issuing state and resolve the citation;~~

14 ~~(2)(1)~~ the notice shall be a letter sent by the U.S. Postal Service to the last known address of the wildlife
15 violator or be delivered personally;

16 ~~(3)(2)~~ the notice of suspension shall ~~inform the violator of the issuing state from which the wildlife violator~~
17 ~~is suspended, the details of the violation provided by that issuing state to the Division, and~~
18 ~~procedures to be followed in resolving the matter with the court in the issuing state; and identify the~~
19 ~~state from which the notice of an unresolved citation was issued and describe any details of the~~
20 ~~violation and procedures to resolve the suspension provided by the issuing state to the Division;~~
21 ~~and~~

22 ~~(4)(3)~~ the notice shall provide the procedure for appealing to the issuing state the ~~suspension-suspension;~~
23 ~~and~~

24 ~~(4)~~ the suspension shall have a delayed effective date of at least 14 business days from the date of the
25 mail used to send the notice of suspension to the wildlife violator, to allow the wildlife violator to
26 contact the court in the issuing state and resolve the citation.

27 (c) Any suspension ~~ratified-received~~ by the Division shall remain in effect until such time as the North Carolina
28 resident resolves the violation in the issuing state.

29 (d) When a North Carolina resident resolves a violation with the court in the issuing state, it is the responsibility of
30 the resident to ~~notify the Division and present documentation of compliance by submitting-submit~~ a copy of either the
31 court judgment resolving the matter or a ~~Notice of Compliance-notice of compliance~~ from the issuing state. Upon
32 ~~receipt of the required documentation, receipt,~~ the Division shall ~~issue an acknowledgement of compliance to the~~
33 ~~resident. If the acknowledgement is issued before the effective date of the suspension, the suspension shall be~~
34 ~~rescinded. If the acknowledgement of compliance is issued after the effective date of the suspension, the Division shall~~
35 ~~rescind any suspension and return any licenses or permits-permits relevant to the Notice of Suspension.~~

36 (e) The issuing state shall be notified by the Division if the suspension order is overturned by the Office of
37 Administrative Hearings.

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2 *History Note:* *Authority G.S. 113-134; 113-300.7; 143B-289.52;*

3 *Eff. May 1, 2025.*

1 15A NCAC 03O .0605 is adopted with changes as published in 39:07 NCR 384 as follows:

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3 **15A NCAC 03O .0605 WVC RECIPROCAL RECOGNITION OF SUSPENSIONS**

4 (a) When the Division of Marine Fisheries receives notice of a suspension from a WVC member state of a person's
5 license or permit that is the result of a conviction or an accumulation of convictions of wildlife violations in one or
6 more WVC member states, the Division shall determine whether the conviction, or accumulation of convictions,
7 leading to the suspension could have led to the suspension of licenses and permits for which the Division has
8 enforcement authority pursuant to Chapter 113, Subchapter IV of the General Statutes. If it is determined that the
9 person's licenses and permits would have been suspended under Chapter 113, Subchapter IV of the General Statutes,
10 the person's North Carolina licenses and permits shall be suspended pursuant to G.S. 113-300.7 for the period of
11 suspension imposed by the WVC member state where the violation occurred.

12 (b) North Carolina shall communicate suspension information to other WVC member states using the WVC database,
13 and ~~may~~ shall include the following information about the wildlife violator:

- 14 (1) name;
15 (2) date of birth;
16 (3) last known address;
17 (4) violations and convictions upon which the suspension is based;
18 (5) scope of the ~~suspension (e.g., suspension, such as fishing, hunting, trapping, or all privileges or~~
19 ~~rights); rights;~~ and
20 (6) effective dates of the suspension and term of the suspension.

21 (c) ~~In the event~~ Upon request by a WVC member state for documentation of a violation and subsequent license
22 ~~suspension is needed by a WVC member state~~ for license suspension hearings or other purposes, the Division ~~may~~
23 shall provide certified copies of the citation or other charging instrument, any arrest or investigation reports,
24 suspension orders, and the disposition of the matter.

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26 *History Note: Authority G.S. 113-134; 113-300.7; 143B-289.52;*
27 *Eff. May 1, 2025.*

1 15A NCAC 03O .0606 is adopted with changes as published in 39:07 NCR 384 as follows:

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3 **15A NCAC 03O .0606 APPEALS**

4 A person served with a notice of suspension ~~or revocation~~ pursuant to this Section may obtain an administrative review
5 of the suspension ~~or revocation~~ pursuant to G.S. 150B-23. Notice of the right to administrative review shall be included
6 in the notice of ~~suspension or revocation~~ suspension.

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8 *History Note:* Authority G.S. 113-134; 113-300.7; 143B-289.52;
9 *Eff. May 1, 2025.*