

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 1. Air Resources Board

Subchapter 1.25. Administrative Procedures–Hearings

Article 1. Adjudicatory Hearings

§ 60043. Effect of Filing a Petition.

A decision of the executive officer ordering a recall of vehicles or engines or intending to suspend or revoke the license of a vehicle emission test laboratory shall be stayed on timely receipt of a petition requesting a hearing until the state board has filed a decision with the board secretary. Other decisions of the executive officer shall also be stayed until the state board has filed the decision with the board secretary unless the executive officer finds that the adverse effects of a stay on the public health, safety and welfare outweigh the harm to those persons directly affected by the lack of a stay.

NOTE: Authority cited: Sections 39600 and 39601, Health and Safety Code. Reference: *Mathews v. Eldridge*, 424 U.S. 319 (1976); Sections 43105 and 44207, Health and Safety Code.

REFERENCE