

**Board Administration and Regulatory Coordination Unit**

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**Division 3. Air Resources Board**

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**Chapter 1. Air Resources Board**

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**Subchapter 1.25. Administrative Procedures–Hearings**

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**Article 4. Administrative Hearing Procedures for  
Review of Citations**

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**Subarticle 5. Initiating Proceeding to Contest a Citation**

**§ 60075.19. Issues for Hearing.**

(a) The issues for hearing shall be limited to those raised by the citation and the docketed request for hearing.

(b) If a citation is classified as a repeat violation pursuant to section 2185, Title 13, California Code of Regulations, the validity of the earlier citation established by failure to request a hearing or the entry of a final disposition by the state board shall not be in issue. However, if the citation imposes a penalty pursuant to section 2185(a)(3), the staff of the state board shall be required to demonstrate the existence of the prior citation or citations.

NOTE: Authority cited: Sections 39600, 39601, 43028, 43031(a) and 44011.6(m), Health and Safety Code. Reference: Mathews v. Eldridge, 424 U.S. 319 (1976); and Sections 43028, 43031(a) and 44011.6, Health and Safety Code.

REFERENCE