

**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**

**§ 60075.20. Effect of Filing a Request for Hearing.**

(a) The requirements to immediately correct deficiencies specified in a citation issued under section 44011.6(b) and to pay a civil penalty within 45 days of receipt of a citation (Title 13, California Code of Regulations, section 2185) shall be stayed on timely receipt of a request for hearing until a final decision or order has been issued pursuant to section 60075.44 of these rules.

(b) For all other citations of noncompliance, if a cease and desist order has been issued, the hearing officer shall issue a stay pending issuance of a final decision, unless the hearing 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. The hearing officer may conduct a hearing or request such submissions by the parties as necessary to obtain information to make a determination on this issue.

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