**Section 2530.420 Evidence**

a) The Hearing Officer will receive evidence that is admissible under the law of the rules of evidence of Illinois pertaining to civil actions. In addition, the Hearing Officer may receive material, relevant evidence that would be relied upon by reasonably prudent persons in the conduct of serious affairs that is reasonably reliable and reasonably necessary to resolution of the issue for which it is offered.

b) The Hearing Officer shall exclude from consideration immaterial, irrelevant and repetitious evidence.

c) When the admissibility of disputed evidence depends upon an arguable interpretation of substantive law, the Hearing Officer shall admit that evidence.

d) The Hearing Officer may order the record of any relevant prior proceeding before the Department or part thereof incorporated into the record of the present proceeding.

e) Relevant scientific or technical articles, treatises or materials may be introduced into evidence subject to refutation or disputation through any introduction of comparable documentary evidence or expert testimony.

f) Department Initiated Revocations/Suspensions

A party may introduce evidence as grounds that would demonstrate factors in mitigation or factors in aggravation of the relief sought in the complaint.

g) The Hearing Officer shall take only the following matters into consideration in hearings for cases of suspension/revocation based on accumulation of points imposed under Subpart B:

1) was the Petitioner found guilty of the offenses outlined in the Notice of Suspension;

2) were points for those offenses properly assessed; and

3) was suspension/revocation properly imposed.

(Source: Amended at 38 Ill. Reg. 17001, effective July 25, 2014)