**Section 6000.65 Suspension of Permit to Operate**

a) The Director may deny, suspend or revoke the permit to operate when the amusement ride or amusement attraction does not meet the requirements of the Act or this Part or has been operated in violation of the Act or this Part, or for other good cause under the meaning and purposes of the Act. The amusement ride or amusement attraction may not be operated while the permit is denied, suspended or revoked.

b) If the Department denies, suspends or revokes a permit or issues a Stop Operation Order as provided in Section 6000.180, it shall notify, in writing, the owner and, if the owner is neither the person operating nor controlling, nor has the duty to control, the operation of the amusement ride or amusement attraction, the Department shall also notify that person of the basis for the Department's action. If the Department issues a Stop Operation Order, the notice shall also include the conditions requiring correction at the time the Stop Operation Order is issued.

c) If a person whose permit has been suspended or revoked, whose application for a permit has been denied, or who has received a Stop Operation Order believes that the violation or condition justifying suspension, revocation, Stop Operation Order or denial does not exist, the person may appeal the Department's decision by filing a written request for a hearing within 10 working days after the Department's decision. Failure to file an appeal and request for a hearing shall cause the decision of the Department to become a final administrative decision subject to the Administrative Review Law [735 ILCS 5/Art. III].

d) Unless otherwise mutually agreed by the parties, the Department shall schedule a hearing within 48 hours after the request for hearing.

e) Service of notice of a hearing shall be made by personal service or certified mail to the address shown on the application for permit, or to any other address on file with the Department and reasonably believed to be the current address of the permit holder.

f) The written notice of a hearing shall specify the time, date and location of the hearing and the reasons for the action proposed by the Department.

g) At the hearing, the Department shall have the burden of establishing good cause for its action. Good cause shall be considered shown when the Department establishes that the ride or amusement attraction has been operating without a permit or the operator has failed to comply with the requirements for a permit as provided for under the Act and this Part.

h) The hearing under this Section shall comply with the Department's Rules of Procedure in Administrative Hearings (56 Ill. Adm. Code 120), except that formal discovery, such as production requests, interrogatories, requests to admit and depositions shall not be allowed. Prior to hearing, the parties shall exchange documents and witness lists and may issue subpoenas.

i) The final decision by the Department shall be rendered within 5 working days after the conclusion of the hearing. The Administrative Law Judge's decision shall be deemed a final administrative decision by the Department, subject to the Administrative Review Law.

j) In computing any period of time prescribed or allowed by this Part, the day of the act, event or default after which the designated period of time begins to run is not to be included, and the designated period shall run until the end of the last day, or the next following working day.

k) If a party seeks judicial review of a final administrative decision, that party shall pay the actual cost to the Department of preparing the administrative record and filing the record in court. Payment shall be by electronic fund transfer, check or money order made payable to the Illinois Department of Labor.

(Source: Amended at 44 Ill. Reg. 19907, effective December 8, 2020)