

**875—61.7 (17A,88A,252J,261,272D) Procedures for revocation, suspension, or denial of an operating permit or amusement inspection sticker.** The procedures set forth in this rule govern the revocation, suspension or denial of an operating permit or amusement inspection sticker.

**61.7(1)** If the commissioner initiates revocation, suspension or denial due to the receipt of a certificate of noncompliance, the applicable procedures of Iowa Code chapter 252J, 261, or 272D shall apply.

**61.7(2)** In the event that immediate action is required due to imminent danger to the public health, safety or welfare, the following procedures shall apply:

*a.* The commissioner shall prepare a safety order describing the hazardous condition and shall give the operator, or the operator's representative on site, a copy of the safety order.

*b.* The commissioner shall remove the amusement inspection sticker or stickers from covered equipment as necessary to protect the public health, safety or welfare.

*c.* The commissioner shall proceed as quickly as feasible to give the operator an opportunity for a hearing as set forth in subrule 61.7(3).

**61.7(3)** In all other cases, the following procedures shall apply:

*a.* The commissioner shall serve a notice by restricted certified mail to the address listed on the operating permit application or by other service as permitted by Iowa Code chapter 17A.

*b.* The operator shall have 20 days to file a written notice of contest with the commissioner. If the operator does not file a written notice of contest within 20 days of receipt of the notice, the action stated in the notice shall automatically be effective.

*c.* The hearing procedures in 875—Chapter 1 shall govern.

*d.* Within five business days of final agency action revoking or suspending an operating permit, the operator shall forfeit the operating permit to the commissioner.