**Section 460.410 Rate Change Procedure**

a) An Owner may change its rates or charges by filing with the Department a proposed schedule of rates and charges.

1) The Department will approve any rates or charges which are less than or equal to the amounts set in Section 460.400.

2) Any rates or charges greater than the amounts set in Section 460.400 will be denied.

b) An application for a change of rate will be approved or disapproved within 15 business days after receipt by the Department. If an application for a rate is approved, the rate shall become effective upon posting at the OTS by the Department, or in the case of an OPETC, upon receipt of the approval by the Department. If an application for a proposed rate is disapproved by the Department and the proposed rate is not greater than the amounts set in Section 460.400, an applicant may appeal the disapproval to the Director under 92 Ill. Adm. Code 454.260. The procedure in Part 454 will be used to determine if a disapproved rate or a rate contested by any person is just and reasonable. For purposes of this procedure, any reference to "rate" or "charge" in Part 454 is deemed to refer to a "rate" or "charge" for a diesel emission test at an OTS or OPETC in an affected area. As the Department has determined a just and reasonable initial rate in Section 460.400, the procedure in 92 Ill. Adm. Code 454.210 for initial rates will not be followed.

(Source: Amended at 48 Ill. Reg. 16576, effective October 29, 2024)