**Section 460.610 Grievance Procedures**

a) Any person aggrieved by a decision regarding the failure of a diesel emission reinspection at a Station or the denial of a waiver from the Department may petition the Department, which will investigate the matter.

b) Grievances shall be filed in writing with the Department no more than 30 days after the decision made by the Department. The grievance shall contain the reason for the grievance; general information about the vehicle (i.e., make, model, and year); and a contact person's name, address and telephone number.

c) The Secretary or the Secretary's designee will appoint a Department employee to investigate every grievance submitted to the Department in accordance with this Part. The vehicle is declared out-of-service during the duration of the investigation.

d) The Department's investigation will be concluded within 45 days after the receipt of the grievance by the Department.

e) Within the 45-day investigation period, the Department will issue written notification to the petitioner and the Official Testing Station, if applicable, indicating the Department's determination as to the correctness or incorrectness of the decision that precipitated the grievance.

f) The Department's written notification will include a statement of the facts relied upon and technical issues decided by the Department in making its determination. The Department's determination is considered administratively final.