**Section 386.1340 Expiration and Termination of an Exemption**

a) An exemption and any renewal expires according to its terms but not later than two years after the date of issuance unless terminated sooner pursuant to subsection (b) of this Section.

b) The Director, or his/her designated officer, may terminate an exemption if the Director, or his/her designated officer, obtains any information evidencing that:

1) Any activity under the exemption is not being performed in accordance with the terms of the exemption or this Subpart C; or

2) On the basis of information not available at the time the exemption was granted, a termination of the exemption is necessary to adequately protect against risks to life and property; or

3) The exemption is no longer consistent with the public interest; or

4) The exemption is no longer necessary because of an amendment to the Illinois Motor Carrier Safety Regulations; or

5) The exemption was granted on the basis of false, fraudulent, or misleading representations or information by the applicant in an application.

c) Unless the Director, or his/her designated officer, believes that immediate termination is necessary to abate the risk of an imminent hazard, the Director, or his/her designated officer, will notify the firm in writing within 30 calendar days of the Director's, or his/her designated officer's, intent to terminate and the reasons for the termination.

d) A letter of termination will be sent to the firm by certified mail, return receipt requested. The letter, mailed by the Division, will include:

1) a statement of the reasons for termination of the exemption;

2) the provisions of this Subpart C and the IMCSR that support termination; and

3) a statement that the letter of termination is final unless an appeal is filed in accordance with Section 386.1350.

e) The filing of an appeal will stay the effect of the notice of termination pending determination of the review of the appeal.

f) If a firm does not file an appeal, it may reapply for an exemption one calendar year after the date of the letter of termination.

(Source: Added at 24 Ill. Reg. 1980, effective January 19, 2000)