

LABOR SERVICES DIVISION[875]

Adopted and Filed

Rule making related to special inspector commissions

The Labor Commissioner hereby amends Chapter 90, “Administration of the Boiler and Pressure Vessel Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 89.7(2).

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 89.

Purpose and Summary

These amendments change the expiration date of all special inspector commissions from June 30 to December 31 and require an applicant for a new special inspector commission to meet with the chief boiler inspector.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on May 5, 2021, as **ARC 595C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Commissioner on September 15, 2021.

Fiscal Impact

It is anticipated that about \$3,000 in special inspector fees will be lost in the transition to December expirations.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commissioner for a waiver of the discretionary provisions, if any, pursuant to 875—Chapter 1.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on November 10, 2021.

The following rule-making action is adopted:

Amend subrules 90.9(2) and 90.9(3) as follows:

90.9(2) Application.

a. A person applying for a new or renewed commission shall complete, sign, and submit to the division with the required fee the form entitled “Application for Boiler and Pressure Vessel Special Inspector Commission” provided by the division. Additionally, the applicant shall submit a copy of the applicant’s current National Board work card with each application.

b. An applicant for a new Iowa special inspector commission shall schedule a meeting with the chief boiler inspector to discuss Iowa law and the responsibilities, expectations, and requirements for a special inspector.

90.9(3) Expiration.

a. The commission is for no more than one year and ceases when the special inspector leaves employment with the insurance company, or when the commission is suspended or revoked by the labor commissioner. Each commission shall expire no later than ~~June 30~~ December 31 of each year.

b. Notwithstanding paragraph 90.9(3) “a” and in order to transition from an expiration date of June 30 to an expiration date of December 31, a commission issued between June 1, 2022, and November 30, 2022, shall expire on December 31, 2023.

[Filed 9/15/21, effective 11/10/21]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 10/6/21.