

LABOR SERVICES DIVISION[875]

Adopted and Filed

Pursuant to the authority of Iowa Code section 89A.3, the Elevator Safety Board hereby amends Chapter 65, "Elevator Safety Board Administrative and Regulatory Authority," Chapter 66, "Waivers or Variances from Administrative Rules by the Elevator Safety Board," Chapter 67, "Elevator Safety Board Petitions for Rule Making," Chapter 68, "Declaratory Orders by the Elevator Safety Board," Chapter 69, "Contested Cases Before the Elevator Safety Board," and Chapter 70, "Public Records and Fair Information Practices of the Elevator Safety Board," Iowa Administrative Code.

These amendments make editorial and technical changes; adopt a definition of "conveyance"; require that a petitioner use the appropriate board form to petition for board action; change the language concerning public comment during board meetings; clarify procedures for informal review of inspection reports; set forth procedures for an appeal from an action by the Labor Commissioner to suspend, deny or revoke an operating permit; and clarify procedures for issuance of a subpoena during a contested case.

The purposes of these amendments are to protect the health and safety of the public, make the rules more clear, align the language with the authority of Iowa Code chapters 17A and 89A, and implement legislative intent.

Notice of Intended Action was published in the December 2, 2009, Iowa Administrative Bulletin as **ARC 8322B**. No public comment was received on the proposed amendments. These amendments are identical to those published under Notice of Intended Action.

These amendments are intended to implement Iowa Code chapter 89A.

These amendments shall become effective on April 28, 2010.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [amendments to Chs 65 to 70] is being omitted. These amendments are identical to those published under Notice as **ARC 8322B**, IAB 12/2/09.

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[For replacement pages for IAC, see IAC Supplement 3/24/10.]