

111—12.3(17A) Person's responsibilities in filing a waiver petition.

12.3(1) Application. All petitions for waiver must be submitted in writing to the Director, Department for the Blind, 524 Fourth Street, Des Moines, Iowa 50309-2364. If the petition relates to a pending contested case, a copy of the petition shall also be filed in the contested case proceeding.

12.3(2) Content of petition. A petition for waiver shall include the following information where applicable and known to the person (for an example of a petition for waiver, see Exhibit A at the end of this chapter):

- a. A description and citation of the specific rule from which a waiver is requested.
- b. The specific waiver or variance requested, including the precise scope and operative period that the waiver will extend.
- c. The relevant facts that the petitioner believes would justify a waiver.
- d. A signed statement from the petitioner attesting to the accuracy of the facts provided in the petition and a statement of reasons that the petitioner believes will justify a waiver.
- e. A history of any prior contacts between the department and the petitioner relating to the regulated activity, license, or grant affected by the proposed waiver, including a description of each affected item held by the requester, any notices of violation, contested case hearings, or investigative reports relating to the regulated activity, license, or grant within the last five years.
- f. A detailed statement of the impact on any person affected by the granting of a waiver.
- g. Any information known to the person regarding the commission's or department's treatment of similar cases.
- h. The name, address, and telephone number of any federal or state public agency or political subdivision which also regulates the activity in question or which might be affected by the granting of a waiver.
- i. The name, address, and telephone number of any person or entity that would be adversely affected by the granting of a petition.
- j. The name, address, and telephone number of any person with knowledge of the relevant facts relating to the proposed waiver.
- k. Signed releases of information authorizing persons with knowledge regarding the request to furnish the department with information relevant to the waiver.