283—7.1(256,ExecOrd11,17A) Waiver process. This chapter outlines a uniform process for granting waivers from rules adopted by the commission.

7.1(1) *Commission authority.* A waiver from rules adopted by the commission may be granted in accordance with this chapter if:

a. The commission has exclusive rule-making authority to promulgate the rule from which a waiver is requested or has final decision-making authority over a contested case in which a waiver is requested; and

b. No statute or rule otherwise controls the granting of a waiver from the rule for which a waiver is requested.

7.1(2) *Interpretive rules.* These uniform waiver rules shall not apply to rules defining a statute or other provisions of law or precedent if the commission does not have delegated authority to bind the courts with its definition.

7.1(3) *Compliance with statute.* No waiver shall be granted from a requirement that is imposed by statute. Any waiver must be consistent with statute.

[Editorial change: IAC Supplement 4/3/24]