

875—1.101(17A,91) Scope.

1.101(1) These rules provide general procedures for waivers from division rules. Specific waiver procedures must be followed when applicable. Except where specific statutory authority is granted, no waiver may be granted from a requirement or duty imposed by statute or when granting a waiver would cause a denial of federal funds or be inconsistent with federal statute or regulation. Any waiver must be consistent with statute. These waiver procedures do not apply to rules that merely define the meaning of a statute or other provision of law unless the division possesses delegated authority to bind the courts with its rules.

1.101(2) Waivers of rules may be granted either in response to a petition for waiver filed within a contested case proceeding, or in response to a petition filed in the absence of a contested case proceeding. [ARC 4639C, IAB 8/28/19, effective 10/2/19; ARC 5632C, IAB 5/19/21, effective 6/26/21]