

3. Notwithstanding other provisions of this chapter to the contrary, indivisible loads operating under the permit requirements of sections 321E.7, 321E.8, ~~and 321E.9,~~ and 321E.29A shall be allowed a maximum of twenty thousand pounds per axle.

Approved April 16, 1998

CHAPTER 1104

GRANDPARENT AND GREAT-GRANDPARENT VISITATION

S.F. 2261

AN ACT relating to the criteria for the awarding of grandparent and great-grandparent visitation rights.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 598.35, subsection 6, Code Supplement 1997, is amended to read as follows:

6. The paternity of a child born out of wedlock is judicially established and the grandparent of the child is the parent of the mother or father of the child or the great-grandparent of the child is the grandparent of the mother or father of the child and the mother of the child has custody of the child, or the grandparent of a child born out of wedlock is the parent of the mother or father of the child or the great-grandparent of the child is the grandparent of the mother or father of the child and custody has been awarded to the father of the child.

Approved April 16, 1998

CHAPTER 1105

CONFIDENTIALITY OF RECORDS AND REPORTS OF LABOR COMMISSIONER

S.F. 2321

AN ACT relating to the confidentiality of certain records and reports held by the labor commissioner.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 88.6, subsection 5, Code 1997, is amended to read as follows:

5. SPECIAL INSPECTIONS. Any employees or authorized employee representative who believes that a violation of a safety or health standard exists that threatens physical harm, or that an imminent danger exists, may request an inspection by giving notice to the commissioner or the commissioner's authorized representative of such violation or danger. Any such notice shall be reduced to writing, shall set forth with reasonable particularity the grounds for the notice, and shall be signed by the employees or authorized employee representative, and a copy shall be provided the employer or the employer's agent no later than at the time of inspection, except that upon the request of the person giving such notice the

person's ~~name~~ identifying information and the ~~names~~ identifying information of individual employees referred to ~~therein in the notice~~ shall not appear in such copy or on any record published, released, or made available ~~pursuant to this section~~. If, upon receipt of such notification, the commissioner determines that there are reasonable grounds to believe that such violation or danger exists, the commissioner shall make a special inspection in accordance with the provisions of this section as soon as practicable, to determine if such violation or danger exists. If the commissioner determines that there ~~is~~ are no reasonable grounds to believe that a violation or danger exists, the commissioner shall notify the employees or authorized employee representative in writing of such determination. For purposes of this subsection, "identifying information" means specific personal information including, but not limited to, the person's name, home address, telephone number, social security number, and handwriting and language idiosyncrasies. In circumstances when the release of any fact may be used to identify the person, that fact shall not be released.

Sec. 2. Section 88.6, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 8. CONFIDENTIALITY. Notwithstanding chapter 22, records prepared or obtained by the commissioner relating to an enforcement action conducted pursuant to this chapter shall be kept confidential until the enforcement action is complete. For purposes of this subsection, an enforcement action is complete when any of the following occurs:

a. An inspection file is closed without the issuance of a citation.

b. A citation or noncompliance notice resulting from an inspection becomes a final order of the employment appeal board and all applicable courts pursuant to sections 88.8 and 88.9, and abatement is verified.

c. A determination and any subsequent action is final in an occupational safety and health discrimination case.

A citation or noncompliance notice shall remain a confidential record until received by the appropriate employer. This subsection shall not affect the discovery rights of any party to a contested case.

Sec. 3. Section 88.16, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 4. Notwithstanding chapter 22, consultation records prepared or obtained by the commissioner pursuant to this section and which relate to specific employers or specific workplaces shall be kept confidential. For purposes of this subsection, "consultation record" means a record created when an employer requests and receives from the labor commissioner direct assistance in the recognition and correction of workplace hazards.

Sec. 4. Section 91.12, Code 1997, is amended to read as follows:

91.12 REPORTS AND RECORDS TO DIVISION OF LABOR SERVICES.

~~1. It shall be the duty of every~~ An owner, operator, or manager of every factory, mill, workshop, mine, store, railway, business house, public or private work, or any other establishment where labor is employed, ~~as herein provided, to make~~ shall submit to the division of labor services, ~~upon blanks furnished~~ reports in the form and manner prescribed by the commissioner, ~~such reports and returns as the commissioner may require~~ for the purpose of compiling ~~such labor statistics as are contemplated in this chapter; and the~~. The owner, operator, or business manager shall ~~make such~~ submit the reports or returns within sixty days from the receipt of ~~blanks furnished by the commissioner~~ notice, and shall certify under oath to the ~~correctness~~ accuracy of the ~~same reports~~.

2. Notwithstanding chapter 22, records containing identifiable financial institution or credit card account numbers obtained by the commissioner shall be kept confidential.