

455B.390 Jurisdiction limited.

Nothing contained in [this part 4 of subchapter IV](#) shall be deemed to grant to the department any authority or jurisdiction under [this part 4](#) with respect to the following:

1. Hazardous conditions existing solely within and which will probably continue to exist solely within commercial and industrial plants, works, or shops under the jurisdiction of [chapters 88 and 91](#).

2. Relations between employers and employees with respect to hazardous conditions except that where such hazardous conditions extend to or affect areas within the scope of the authority granted by [this part 4 of subchapter IV](#), the department may take any action consistent with [this part 4](#) to abate such hazardous condition.

3. The storage, transportation, handling, or use of flammable liquids, combustibles, and explosives, control over which is exercised by the state fire marshal under [chapter 100](#).

4. The storage, transportation, handling, or use of pesticides over which control is exercised by the state secretary of agriculture under [chapter 206](#), except when spillage of pesticides creates a hazardous condition.

5. The storage, transportation, handling, or use of fertilizers over which control is exercised by the state secretary of agriculture under [chapter 200](#), except when spillage of fertilizers creates a hazardous condition.

[C79, 81, §455B.119]

C83, §455B.390

[92 Acts, ch 1163, §94](#); [2021 Acts, ch 76, §150](#)

Referred to in [§101.10, 459.506](#)