NEBRASKA ADMINISTRATIVE CODE

TITLE 229 - DEPARTMENT OF LABOR

CHAPTER 19 - PENALTIES AND VARIATIONS

001. This chapter is adopted pursuant to *Neb. Rev. Stat.* §48-727.

002. Any person who believes these rules and regulations are unreasonable or impose an undue burden upon the owner or user may request a variation from such rule or regulation. The request for variation shall be in writing to the Commissioner and shall specify how equivalent safety is to be maintained. The Commissioner, after investigation and such hearing as he or she may direct, may grant such variation from the terms of any rule or regulation provided such special conditions as may be specified are maintained in order to provide equivalent safety.

003. When there is a reason to believe, or upon receipt of a complaint, that a variation does not provide freedom from danger equivalent to the published rules or regulations, the Commissioner, after notice to the owner or user and complainant, and after such hearing and investigation as the Commissioner may direct, may continue to reaffirm, suspend, revoke or modify the conditions specified in any variation. No declaration, act or omission of the Commissioner, or of the Chief Inspector, Deputy Inspectors or Special Inspectors, other than a written order authorizing a variation as permitted above, shall be deemed to exempt, either wholly or in part, expressly or implied, any owner or user from full compliance with the terms of any rule or regulation.

APPROVED

AUG 0 2 2016

BD

Pete Ricketts
PETE RICKETTS
GOVERNOR

FILED
AUG - 2 2016
Bess Boesiger

APPROVED
DOUGLAS J. PETERSON
ATTORNEY GENERAL

JUL 1 1 2016

BY Marna Munn
ASSISTANT ATTORNEY GENERAL

AUG 0 2 2016