

JAN 23 1971

NEBRASKA ADMINISTRATIVE CODE

TITLE 272. NEBRASKA ADMINISTRATIVE CODE, CHAPTER 17
NEBRASKA STATE PATROL

Petitioning For Rulemaking

JAN 23 1997

Issue Date:

NEBRASKA ADMINISTRATIVE CODE

TITLE 272 NAC CHAPTER 17

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FILED
JAN 23 1997
By *Robert Hoffman* SECRETARY OF STATE

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001 General information.

Application of these Model Rules. Pursuant to Neb. Laws 1994, LB 446, the Attorney General promulgated model rules of procedure appropriate for use by as many agencies as possible. For rules of procedure adopted on or after August 1, 1994, each agency shall adopt as many of the model rules as is practicable under the circumstances. Agencies may adopt regulations which vary from the model rules; however, any agency adopting a rule of procedure that differs from the model rule shall include in the agency's explanatory statement the reasons why the relevant portions of the Attorney General's model rules are impracticable under the circumstances. The Nebraska State Patrol adopts these model rules with no material modifications.

002 Rule Making Petition.

002.01 Petition. Any person may petition the Patrol requesting the promulgation, amendment, or repeal of a rule or regulation.

002.02 Form. The petition shall:

002.02A. Be clearly designated as a petition for a rules change;

002.02B. In the case of a proposed new rule or amendment of an existing rule, shall set forth the desired rule in its entirety;

002.02C. In the case of a petition for the repeal of an existing rule, such shall be stated and the rule proposed to be repealed shall either be set forth in full or shall be referred to by rule number;

APPROVED
DON STENBERG
ATTORNEY GENERAL

DEC 11 1996

BY *Timothy J. Reed*
Assistant Attorney General

APPROVED

JAN 23 1997

E. Benjamin Nelson
E. BENJAMIN NELSON
GOVERNOR

KW

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002.02D. Describe the reason for the rules change

002.02E. Include an address and telephone where the petitioner can be reached during regular work hours; and

002.02F. Be signed by:

002.02F(1). The petitioner or his or her attorney in which case the attorney shall also state his or her address and telephone number;

002.02F(2). A duly authorized officer of the petitioner, if petitioner is a corporation or other legal entity.

003 Petition Consideration and Disposition.

003.01. Within sixty (60) days after submission of a petition, the Patrol shall:

003.01A. Deny the petition in writing, stating its reasons therefor;

003.01B. Initiate rulemaking or regulation making proceedings in accordance with the Administrative Procedure Act;

003.01C. If otherwise lawful, adopt a rule or regulation.

FILED
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SECRETARY OF STATE
By *[Signature]*

APPROVED
DON STENBERG
ATTORNEY GENERAL

DEC 11 1996

BY *[Signature]*
Assistant Attorney General

APPROVED

JAN 23 1997

[Signature]
E BENJAMIN NELSON
GOVERNOR *[Initials]*