

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control 482 Department or Agency Department of Insurance*

Rule No. Chapter 482-2-104

Rule Title: Explosives Safety Act Variation Fee

New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? N/A*

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? N/A*

Is there another, less restrictive method of regulation available that could adequately protect the public? N/A*

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? N/A*

Is the increase in costs, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A*

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? N/A*

Does the proposed rule have an economic impact? N/A*

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Sections 27-2-17 and 27-7-43, Code of Alabama 1975, and that it complies with all applicable filing requirements of the Alabama Insurance Code.*

Signature of certifying officer Jim L. Ridling
Jim L. Ridling
Commissioner of Insurance

Date: October 20, 2015

*Note: *The Alabama Department of Insurance is exempt from the Alabama Administrative Procedures Act pursuant to Section 41-22-2(e), Code of Alabama 1975.*

Alabama Department of Insurance

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Insurance

RULE NO. & TITLE: Chapter 482-2-104: Explosives Safety Act
Variation Fee.

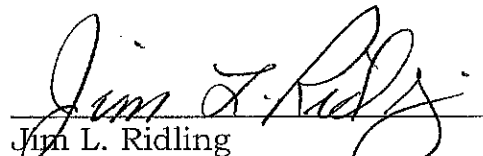
INTENDED ACTION: Repeal existing chapter.

SUBSTANCE OF PROPOSED ACTION: The State Fire Marshal is proposing to repeal the existing chapter which formalizes the practice of granting, and sets the fee for requesting approval of, emergency variations from the Alabama Explosives Safety Act of 1993. The fee will be hereafter set forth in proposed new State Fire Marshal Regulation No. 106 [Chapter 482-2-106].

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may submit data, views, or arguments in writing at any time prior to December 1, 2015, to the Alabama Department of Insurance, Attention: Legal Division, Post Office Box 303351, Montgomery, Alabama 36130-3351, or orally by appearing at the public hearing, Suite 502, RSA Tower, 201 Monroe Street, Montgomery, Alabama, beginning at 2:00 PM, December 8, 2015.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
December 4, 2015

CONTACT PERSON AT AGENCY: Reyn Norman
General Counsel



Jim L. Ridling
Commissioner of Insurance

**ALABAMA DEPARTMENT OF INSURANCE
STATE FIRE MARSHAL REGULATION**

CHAPTER 482-2-104

EXPLOSIVES SAFETY ACT VARIATION FEE

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~~482-2-104-.01 Purpose, Scope and Authority.~~

~~(1) The purpose of this chapter is to formalize the practice within the State Fire Marshal's Office preceding the effective date of this chapter and set the fee for requesting the State Fire Marshal approve an emergency variation from the requirements of the Alabama Explosives Safety Act of 1993, Ala. Code §§ 8-17-240, et seq. (1993).~~

~~(2) This chapter shall apply to all persons submitting a written request for an emergency variation in accordance with Ala. Code § 8-17-250 (1993).~~

~~(3) This chapter is adopted pursuant to Ala. Code §§ 27-2-17 (1975) and 8-17-250 (1993).~~

Author: Commissioner of Insurance

Statutory Authority: Ala. Code §§ 27-2-17 (1975) & 8-17-250 (1993)

History: New October 18, 2012, effective October 28, 2012; Repealed _____, Effective January 1, 2016

~~482-2-104-.02 Explosives Safety Act Variation Application~~

~~**Fee.** Any person submitting a written request for approval of an emergency variation from the requirements of the Alabama Explosives Safety Act of 1993 as provided in Ala. Code § 8-17-250 (1993) shall pay a fee of \$50 with the request for variation.~~

Author: Commissioner of Insurance

Statutory Authority: Ala. Code §§ 27-2-17 (1975) & 8-17-250 (1993)

History: New October 18, 2012, effective October 28, 2012; Repealed _____, Effective January 1, 2016

~~482-2-104-.03 Effective Date. This chapter shall become effective upon its approval by the Commissioner of Insurance and upon its having been on file as a public document in the office of the Secretary of State for ten days.~~

Author: Commissioner of Insurance

Statutory Authority: Ala. Code §§ 27-2-17 (1975) & 8-17-250 (1993)

History: New October 18, 2012, effective October 28, 2012; Repealed _____, Effective January 1, 2016