

NEBRASKA ADMINISTRATIVE CODE

TITLE 272-NEBRASKA STATE PATROL

LAST ISSUE DATE: October 3, 1989

Chapter 12 - COMPLIANCE, PENALTIES FOR NON-COMPLIANCE

001 Compliance, Penalties for Non-compliance

001.01 Nebraska State Patrol will revoke the permit of any person who:

001.01A Is found to be under 21 years of age;

001.01B Has been convicted in any court of a felony;

001.01D Is a fugitive from justice;

001.01E Is an unlawful user of any depressant, stimulant, or narcotic drug;

001.01F Has been admitted as a patient or inmate in a public or private institution for the treatment of mental or emotional disease or disorder within (5) years preceding the date of application;

007.05G Has no reasonable, educational, industrial, commercial, agricultural, recreational, or other legitimate need for a permit to store or use explosive materials. Recreational use shall be defined as the use of explosives for public display.

007.05H Has been convicted in any court of a misdemeanor crime of domestic violence. This includes any misdemeanor conviction involving the use or attempted use of physical force committed by current or former spouse, parent, or guardians of the victim or by a person with the similar relationship with the victim .

007.05I Is subject to a court order restraining the applicant from harassing, stalking, or threatening an intimate partner or child of such partner? An intimate partner shall be defined as the spouse of the person, a former spouse of the person, and individual who is a parent of a child of the person, and individual who cohabits or has cohabited with the person.

007.05J Is an alien illegally in the United States.

001.01K Has violated any provision of Nebraska State Statutes 28-1213 through 28-1239 or of 18 U.S.C. chapter 40 or the rules and regulations of the Nebraska State Patrol;

001.01L Has not complied with an order by the Nebraska State Patrol within the time specified in such order.

002 An order of revocation shall automatically become final in ten business days after service of the order unless the permit holder presents a petition for hearing within ten business days after service of the order. Service may be by certified mail, personal service, or by leaving at the address of record as indicated on the permit holder application. Revocation proceedings shall be in accordance with the procedure required for contested cases set forth in Title 272, Rules and Regulations Concerning the Use of Explosives in the State of Nebraska, Chapter 1.

003 The Nebraska State Patrol may, in the interest of safety, order the immediate suspension of any Patrol issued Explosive Permit pending revocation proceedings. This suspension order may be made verbally and must be followed with a written order of suspension. In the event of an appeal of an immediate suspension, an expedited hearing will be allowed.

004 Explosive use, storage and purchase permits may be issued provisionally based upon the application and a criminal name check on the applicant. These permits will be revoked immediately if further investigation reveals any conflict or violation of Title 272, Chapter 12 or Nebraska Statute 28-1219, Obtaining a Permit Through False Representation.

004 Failure to comply with the requirements of these regulations may be grounds for administrative enforcement proceedings or penalties in criminal proceedings brought by the County Attorney or Attorney General pursuant to Neb. Rev. Stat. §§28-1213 to 28-1239.

Statutory Authority: Neb. Rev. Stat. §§28-1213 to 28-1239.

Legal Citation: Title 272, Ch. 12, Nebraska State Patrol.