

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 1044

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 7-16-84
DATE FOR REVIEW 7-25-84
DATE DUE 8-1-84

Adopted w/a hearing _____
Adopted w/o hearing ✓
Temporary rule _____

Approved July 31, 1984 (COS) Disapproved _____ Returned to Agency _____

Resubmitted _____ Due _____
Approved _____ Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State _____ Revisor approved 7/17/84 disapproved _____

✓ Rule as Adopted

✓ Rule as Proposed

✓ Order Adopting 7.5.84 Date

_____ Notice of Intent to Solicit Outside Opinion

✓ Order for rulemaking
N/A date of Hearing

N/A Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking + Addendum
✓ Sufficiency

✓ Affidavit of Mailing Notice or rulemaking + Addendum
5.18.84 At least 30 days prior to ~~hearing~~/adoption

✓ Mailing list Certificate

✓ Publication in State Register
5.21.84 At least 30/~~20~~ days prior to ~~hearing~~/adoption
5.28.84 Addendum

N/A Hearing Examiner's Report

_____ Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

✓ Agency's Findings of Fact

N/A LCRAR Report or agency Affidavit

_____ Certificate of Board's Resolution Adopting Rules

_____ Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness

N/A Petition for Adoption of a Rule

✓ Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

N/A Affidavit of Mailing Notice of Submission to Attorney General

✓ Notice of Submission to the Attorney General

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : PAUL J TSCHIDA
Commissioner of Public Safety

DATE: July 31, 1984

ATTN: JEFFREY S BILCIK
Special Assistant
Attorney General

FROM : LARRY D STARNS
Special Assistant
Attorney General

PHONE: 297-3493

SUBJECT: In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Drivers License and Motor Vehicle Records, Name of Applicant.

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Please note that they have not been filed with the State Register. This must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of stamps of the Attorney General and Secretary of State;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages to the rules in the approved set.

If you have any questions in this regard, please contact me.

Encs.

cc: Ms. Kathy Burek
Mr. Duane Harves

LDS:cb

Department of Public Safety
Driver and Vehicle Services Division

Adopted Rules Relating to Drivers License and Motor Vehicle Registration Records

Rules as Adopted

7410.0100 DEFINITIONS.

Subpart 1. [Unchanged.]

Subp. 2. **Driver's license and motor vehicle registration records.** "Driver's license and motor vehicle registration records" includes:

A. all applications for drivers' licenses, instruction permits, and Minnesota identification cards; and

B. all applications for motor vehicle certificates of title.

Subparts 3 to 6. [Unchanged.]

7410.0400 DOCUMENTATION OF PROOF OF NAME AND IDENTITY.

Subpart 1. **In General.** At the time of application for a driver's license or motor vehicle registration record, the applicant shall present a Minnesota driver's license or Minnesota identification card if either one of these has been issued to the applicant. If the applicant for a Minnesota driver's license possesses a driver's license, chauffeur's license, or instruction permit from another jurisdiction, it must be surrendered.

Subpart 2. [Unchanged.]

APPROVED AS TO LEGALITY

July 31, 19 84

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY _____
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG - 1 1984
10:26 A.M.

_____
Secretary of State

Rules as Proposed

7410.0100 DEFINITIONS.

Subpart 1. [Unchanged.]

Subp. 2. **Driver's license and motor vehicle registration records.** "Driver's license and motor vehicle registration records" includes:

A. all applications for drivers' licenses, instruction permits, and Minnesota identification cards; and

B. all applications for motor vehicle certificates of title; ~~and~~

~~C. all applications for motor vehicle registration plates.~~

Subparts 3 to 6. [Unchanged.]

7410.0400 DOCUMENTATION OF PROOF OF NAME AND IDENTITY.

Subpart 1. **In General.** At the time of application for a driver's license or motor vehicle registration record, the applicant shall present a Minnesota driver's license or Minnesota identification card if either one of these has been issued to the applicant. If the applicant for a Minnesota driver's license possesses a driver's license, chauffeur's license, or instruction permit from another jurisdiction, it must be surrendered.

Subpart 2. [Unchanged.]

APPROVED IN THE REVISOR OF STATUTES' OFFICE BY:

RR

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD484

Agency: Department of Public Safety

Division: Driver and Vehicle Services

Agency Contact: Diane Dybevik

Assistant to the Commissioner

Part Numbers: 7410.0100 and 7410.0400

Title: Proposed Rules Relating to Driver's License and Motor Vehicle Registration Records

Type of Rules: Permanent

Incorporations by Reference: None

Duplication of Statutory Language: None

The attached rules are approved as to form.

Steven C. Cross
Revisor of Statutes

Ron Ray
Assistant Revisor
Phone: 296-0945
Date: March 7, 1984

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Drivers License and Motor Vehicle Records, Name of Applicant.

ORDER FOR NOTICE OF INTENT TO ADOPT RULES WITHOUT PUBLIC HEARING

IT IS ORDERED this 1st day of May, 1984, that a Notice of Intent to Adopt Rules Without Public Hearing in the above-entitled matter be given to all persons who have registered their names with the State Department of Public Safety for that purpose and be published in the State Register.

STATE OF MINNESOTA

Paul J. Tschida

PAUL J. TSCHIDA
COMMISSIONER OF PUBLIC SAFETY

ACDKHF0006

Department of Public Safety
Driver and Vehicle Services Division

In The Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Drivers License and Motor Vehicle Records, Name of Applicant.

NOTICE OF INTENT TO ADOPT RULES WITHOUT A HEARING

Notice is hereby given that the State Department of Public Safety is proposing to adopt the above entitled rules without a public hearing. The Commissioner of Public Safety has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow procedures set forth in Minn. Stat. Sections 14.21 through 14.28.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified prior to final adoption if modifications are supported by the data and views submitted to the Department of Public Safety and do not result in a substantial change in the proposed language.

Unless seven or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. The written request must be specific on which rule(s) a hearing is desired. Identification of the particular objection, the suggested modifications, and the reasons or data relied upon to support the suggested modifications are desired. In the event a public hearing is required, the department will proceed according to the provisions of Minn. Stat. Sections 14.13 through 14.20.

Persons who wish to submit comments or a written request for a public hearing, or persons who wish to receive a free copy of this notice and/or a free copy of the proposed rules, should address their correspondence to the address below and include the name of the rulemaking:

Diane Dybevik
Department of Public Safety
211 Transportation Building
St. Paul, MN 55155

The Department's authority to adopt the proposed rules is contained in Minn. Stat. Sections 299A.01, 14.06, and generally Chapters 168, 168A, and 171. A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available free from the Department of Public Safety upon request to the above address.

You are hereby advised, pursuant to Minn. Stat. Section 14.115, "Small business consideration in rulemaking," that the proposed rules do not have an impact on small businesses in Minnesota. These rules apply to private individuals.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial

change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written request to the above address.

Please be advised that Minn. Stat. Chapter 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. Minn. Stat. Section 10A.01, subdivision 11 defines a lobbyist as any individual: (a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or (b) who spends more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

The department estimates that there will be no cost to local public bodies in the state to implement the rules for the two years immediately following their adoption, within the meaning of Minnesota Statutes Section 14.11, subdivision 1.

A copy of the proposed rules is attached to this notice.

STATE OF MINNESOTA

5/3/84
DATE

Paul J. Tschida
PAUL J. TSCHIDA
COMMISSIONER OF PUBLIC SAFETY

ACDKHF0008

Rules as Proposed

7410.0100 DEFINITIONS.

Subpart 1. [Unchanged.]

Subp. 2. **Driver's license and motor vehicle registration records.** "Driver's license and motor vehicle registration records" includes:

A. all applications for drivers' licenses, instruction permits, and Minnesota identification cards; and

B. all applications for motor vehicle certificates of title~~;-and~~

~~C.--all-applications-for-motor-vehicle-registration plates.~~

Subparts 3 to 6. [Unchanged.]

7410.0400 DOCUMENTATION OF PROOF OF NAME AND IDENTITY.

Subpart 1. **In General.** At the time of application for a driver's license or motor vehicle registration record, the applicant shall present a Minnesota driver's license or Minnesota identification card if either one of these has been issued to the applicant. If the applicant for a Minnesota driver's license possesses a driver's license, chauffeur's license, or instruction permit from another jurisdiction, it must be surrendered.

Subpart 2. [Unchanged.]

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:
RR

Department of Public Safety

Driver and Vehicle Services Division

State Patrol Division

Addendum to Notice of Intent to Adopt Rules Without a Public Hearing

In the matter of proposed adoption of rules of the State Department of Public Safety governing drivers licenses and motor vehicle records and name of applicant published at State Register, Volume 8, Number 47, page 2465 May 21, 1984 (8 S.R. 2465), and rules governing requirements for the approval of motor vehicle equipment used and sold in Minnesota published at State Register, Volume 8, Number 47, page 2467, May 21, 1984 (8 S.R. 2467), and the following notification is added pursuant to Laws 1984, Chapter 640, Section 12:

--If 25 (not 7) or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held under the provisions of section 14.14 to 14.20.

--Any person commenting on the rules or requesting a hearing should identify the portion of the rules addressed, give the reason for comment or hearing request, and specify any change proposed.

--Any person requesting a public hearing should state his or her name and address in addition to the foregoing information.

The comment period is extended to June 29, 1984.

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Drivers License and Motor Vehicle Records, Name of Applicant.

ORDER ADOPTING RULES

Notice of the Commissioner's intent to adopt the above-entitled rules without a public hearing was published in the State Register on May 21, 1984, with an addendum published on May 28, 1984, and was sent by the United States mail to all persons on the list maintained by the agency pursuant to Minn. Stat. section 14.22, on May 18, 1984. After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, receiving fewer than seven written requests for a public hearing within the 30-day comment period, reviewing and considering the comments, and determining the need for and reasonableness of the above captioned rules.

NOW, THEREFORE, IT IS ORDERED that these rules, identified as Minnesota Rules Parts 7410.0100 and 7410.0400 are adopted this 5th day of July, 1984, pursuant to authority vested in me by Minn. Stat. Section 299A.01, subd. 6. and Minn. Stat. Section 14.06.

STATE OF MINNESOTA

Paul J. Tschida

PAUL J. TSCHIDA
COMMISSIONER OF PUBLIC SAFETY

ACDKHF0018

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Drivers License and Motor Vehicle Records, Name of Applicant.

AFFIDAVIT OF MAILING NOTICE OF INTENT TO ADOPT RULES WITHOUT PUBLIC HEARING

LeeAnn Aitkin, being first duly sworn, deposes and says:

That on the 18th day of May, 1984, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the Notice of Intent to Adopt Rules Without Public Hearing and Addendum by depositing in the State of Minnesota Central Mail System for United States mailing, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who have requested that their names be placed on file with the State Department of Public Safety for the purpose of receiving notice of the proposed adoption of rules by this department.

LeeAnn K. Aitkin

Subscribed and sworn to before me

this 18th day of May.

1984

Robert G. Knutson

ROBERT G. KNUTSON
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES APRIL 11, 1990

ACDKHF0011

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Drivers License and Motor Vehicle Records, Name of Applicant.

CERTIFICATE OF MAILING LIST

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. Section 14.14 subdivision 1, that their names be placed on file with and maintained by the State Department of Public Safety for the purpose of receiving notice of the proposed adoption of rules by this department, is accurate and complete as of 9:00 A.M., this 16th day of May, 1984.

Diane Dybevick

ACDKHF0010

within five (5) days after he or she commences lobbying. Minn. Stat. § 10A.01, subdivision 11 defines a lobbyist as any individual: a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spend more than five hours (5) in any month or more than $250.00, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or b) who spends more than $250.00, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative administrative action by communicating or urging others to communicate with public officials. The statutes provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155-1679, telephone (612)/296-5615.

March 29, 1984.

Joseph N. Alexander, Commissioner
Department of Natural Resources

Rule as Proposed

6100.3100 STATUTORY AUTHORITY AND SCOPE.

These parts are ~~promulgated~~ adopted under the authority of Minnesota Statutes, sections 84.03 and 84.86, and apply to ~~state recreational trails, which are:~~

~~A. those trails established by the legislature in Minnesota Statutes, section 85.015~~ authorized state trail units as described in the Outdoor Recreation Act of 1975, Minnesota Statutes, chapter 86A, when designated by the commissioner of natural resources by order filed with the secretary of state; ~~and~~

~~B. those other trails designated by the commissioner by order filed with the secretary of state after a public hearing conducted pursuant to Minnesota Statutes, chapter 14, in a county through which the proposed trail passes.~~

These ~~rules~~ parts shall not apply to any person lawfully engaged in the performance of his duties in the development, maintenance, and operation of such trails, including but not limited to the commissioner of natural resources, his agents, employees, those persons operating under contract with the Department of Natural Resources, and law enforcement officers.

Department of Public Safety
Driver and Vehicle Services Division

Proposed Rules Relating to Drivers License and Motor Vehicle Registration Records

Notice of Intent to Adopt Rules without a Hearing

Notice is hereby given that the State Department of Public Safety is proposing to adopt the above entitled rules without a public hearing. The Commissioner of Public Safety has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow procedures set forth in Minn. Stat. Sections 14.21 through 14.28.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified prior to final adoption if modifications are supported by the data and views submitted to the Department of Public Safety and do not result in a substantial change in the proposed language.

Unless 25 or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. The written request must be specific on which rule(s) a hearing is desired. Identification of the particular objection, the suggested modifications, and the reasons or data relied upon to support the suggested modifications are desired. In the event a public hearing is required, the department will proceed according to the provisions of Minn. Stat. Sections 14.13 through 14.20.

Persons who wish to submit comments or a written request for a public hearing, or persons who wish to receive a free copy of this notice and/or a free copy of the proposed rules, should address their correspondence to the address below and include the name of the rulemaking:

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Diane Dybevik
Department of Public Safety
211 Transportation Building
St. Paul, MN 55155

The Department's authority to adopt the proposed rules is contained in Minn. Stat. Sections 299A.01, 14.06, and generally Chapters 168, 168A, and 171. A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available free from the Department of Public Safety upon request to the above address.

You are hereby advised, pursuant to Minn. Stat. Section 14.115, "Small business consideration in rulemaking," that the proposed rules do not have an impact on small businesses in Minnesota. These rules apply to private individuals.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written request to the above address.

Please be advised that Minn. Stat. Chapter 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. Minn. Stat. Section 10A.01, subdivision 11 defines a lobbyist as any individual: (a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or (b) who spends more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

The department estimates that there will be no cost to local public bodies in the state to implement the rules for the two years immediately following their adoption, within the meaning of Minnesota Statutes Section 14.11, subdivision 1.

A copy of the proposed rules is attached to this notice.

Paul J. Tschida
Commissioner of Public Safety

Rules as Proposed

7410.0100 DEFINITIONS.

Subpart 1. [Unchanged.]

Subp. 2. Driver's license and motor vehicle registration records. "Driver's license and motor vehicle registration records" includes:

A. all applications for drivers' licenses, instruction permits, and Minnesota identification cards; and

B. all applications for motor vehicle certificates of title~~; and~~

~~C. all applications for motore vehicle registration plates~~.

Subparts 3 to 6. [Unchanged.]

7410.0400 DOCUMENTATION OF PROOF OF NAME AND IDENTITY.

Subpart 1. In General. At the time of application for a driver's license or motor vehicle registration record, the applicant shall present a Minnesota driver's license or Minnesota identification card if either one of these has been issued to the applicant. If the applicant for a Minnesota driver's license possesses a driver's license, chauffeur's license, or instruction permit from another jurisdiction, it must be surrendered.

Subpart 2. [Unchanged.]

Department of Public Safety
Driver and Vehicle Services Division
State Patrol Division

Addendum to Notice of Intent to Adopt Rules without a Public Hearing

Proposed Rules Published May 21, 1984 Governing Drivers' Licenses and Motor Vehicle Records

In the matter of proposed adoption of rules of the State Department of Public Safety governing drivers' licenses and motor vehicle records and name of applicant published at *State Register*, Volume 8, Number 47, page 2465 May 21, 1984 (8 S.R. 2465), and rules governing requirements for the approval of motor vehicle equipment used and sold in Minnesota published at *State Register*, Volume 8, Number 47, page 2467, May 21, 1984 (8 S.R. 2467), and the following notification is added pursuant to Laws 1984, Chapter 640, Section 12:

—If 25 (not 7) or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held under the provisions of sections 14.14 to 14.20.

—Any person commenting on the rules or requesting a hearing should identify the portion of the rules addressed, give the reason for comment or hearing request, and specify any change proposed.

—Any person requesting a public hearing should state his or her name and address in addition to the foregoing information.

The comment period is extended to June 29, 1984.

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Drivers License and Motor Vehicle Records, Name of Applicant.

FINDINGS OF FACT AND CONCLUSIONS

Notice of the Commissioner's intent to adopt the above captioned rules without a public hearing was published in the State Register on May 21, 1984, with an addendum published on May 28, 1984, and was sent by the United States Mail to all persons on the list maintained by the Department of Public Safety pursuant to Minnesota Statutes section 14.14 subdivision 1, on May 18, 1984.

After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, having received fewer than seven requests for a public hearing within the 30 day comment period, and having reviewed and considered the comments, I find the following:

FINDINGS OF FACT

1. The authority of the Department of Public Safety to promulgate these rules is contained in Minn. Stat. Sections 299A.01, 14.06, and generally Chapters 168, 168A, and 171.

2. The Statement of Need and Reasonableness for these rules sets forth the need for and reasonableness of the rules to be adopted, and is incorporated into these findings and becomes a part hereof as though fully set forth herein.

3. During the 30 day public comment period, no requests for public hearing were received, no public comments were received, and there were no requests for Notice of Submission to the Attorney General.

4. An addendum was published one week after publication of the Notice of Intent to Adopt Rules Without Hearing and the proposed rules, in order to comply with Laws 1984 Chapter 640, Sec. 12. The original notice, drafted and submitted to the State Register at about the same time as Chapter 640 was enacted, contained some but not all of the items required by Sec. 12. In the addendum, notification was made of those additional items, and the 30-day comment period was extended to 30 days from the publication date of the addendum.

CONCLUSIONS

1. The Commissioner of Public Safety gave due, timely and adequate legal notice of his intent to adopt rules without a public hearing.

2. The Commissioner of Public Safety has statutory authority to promulgate the proposed rules.

3. The Commissioner of Public Safety has fulfilled all relevant, substantive and procedural requirements of law and rule, including substantial compliance with Laws 1984, Chapter 640.

4. The Commissioner of Public Safety has demonstrated the need for and reasonableness of the proposed rules by an affirmative presentation of facts.

5. Therefore, the rules as proposed are adopted.

STATE OF MINNESOTA

July 6, 1984
DATE

Paul J. Tschida
PAUL J. TSCHIDA
COMMISSIONER OF PUBLIC SAFETY

ACDKHF0015

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Drivers License and Motor Vehicle Records, Name of Applicant.

STATEMENT OF NEED AND REASONABLENESS

The above captioned rules are amendments to existing rules of the State Department of Public Safety. The captioned rules were adopted December, 1982.

The need to adopt these rules arises because of an error made when the department drafted and promulgated these rules in 1982. In proposed rule 7410.0100 the definition of "driver license and motor vehicle records" is changed so that it does not include applications for motor vehicle plates. In that way, whenever "driver license and motor vehicle records" appears elsewhere in rules 7410.0100 to 7410.0600, it will include only applications for drivers licenses, instruction permits, Minnesota identification cards, and motor vehicle certificates of title. The purpose of existing rules 7410.0100 to 7410.0600 is to prescribe the identification required for processing driver license and motor vehicle records in order to insure security and integrity of the records. This purpose is not served and is not applicable to application for registration plates because it does not involve change of ownership from one person to another nor change of name of an individual.

Proposed rule 7410.0400 Subpart 1., is changed to require surrender of drivers license, chauffeurs license, or instruction permit, only in cases of application for driver license. The need for this change is to clarify the intent of this rule. The purpose of the rules is to verify the applicant's true identity, correspond any new records with existing records, and ensure record integrity of one person/one record. However, it is not necessary to actually surrender the drivers license, chauffeur's license or instruction permit in the case of application for a motor vehicle certificate of title. Surrender is necessary only in the case of application for driver's license, so that the person is not issued more than one drivers license.

The department has considered the requirements of Minn. Stat. 14.115 and has determined that the proposed rules do not affect small businesses.

PAUL J. TSCHIDA
COMMISSIONER

ACDKHF0004

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Drivers License and Motor Vehicle Records, Name of Applicant.

STATEMENT OF COMPLIANCE WITH RULEMAKING DECISIONS

I, Special Assistant Attorney General Jeffrey S. Bilcik, do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administration Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted.

7/12/84
DATED

SPECIAL ASSISTANT ATTORNEY GENERAL

ACDKDF0001