

Sec. 5. [181.944] INDIVIDUAL REMEDIES.

In addition to any remedies otherwise provided by law, any person injured by a violation of sections 1 to 4 may bring a civil action to recover any and all damages recoverable at law, together with costs and disbursements, including reasonable attorney's fees, and may receive injunctive and other equitable relief as determined by a court.

Approved June 2, 1987

CHAPTER 360—H.F.No. 463

*An act relating to occupations and professions; providing for the licensure of private detectives and protective agents; providing definitions; providing board powers and duties; specifying application and administrative procedure; authorizing rulemaking; requiring payment of fees; providing penalties; amending Minnesota Statutes 1986, sections 326.32, subdivisions 1, 5, 11, and by adding subdivisions; 326.33, subdivisions 1 and 2; 326.336; 326.338, subdivision 1, and by adding a subdivision; and 326.339; proposing coding for new law in Minnesota Statutes, chapter 326; repealing Minnesota Statutes 1986, sections 326.32, subdivisions 6 and 7; 326.33, subdivisions 3, 4, and 5; 326.331; 326.332; 326.333; 326.334; 326.337; and 326.338, subdivisions 2 and 3.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1986, section 326.32, subdivision 1, is amended to read:

Subdivision 1. As used in sections ~~326.334~~ 326.32 to 326.339, and ~~Laws 1974, chapter 310~~, the terms defined in this section have the meanings given them.

Sec. 2. Minnesota Statutes 1986, section 326.32, subdivision 5, is amended to read:

Subd. 5. "Board review" means the ~~review, by the board, of a private detective or protective agent license application, in conjunction with other pertinent facts and information related to the application process by which the board reviews and evaluates private detective or protective agent license applications.~~

Sec. 3. Minnesota Statutes 1986, section 326.32, is amended by adding a subdivision to read:

Subd. 10a. "Minnesota manager" means the member of a partnership or corporation, who meets the qualifications for licensing as provided in sections 326.32 to 326.339. The Minnesota manager must be actively involved in the day to day management and supervision of the licensed activity in the Minnesota office.

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Sec. 4. Minnesota Statutes 1986, section 326.32, is amended by adding a subdivision to read:

Subd. 10b. "Minnesota office" means an office maintained in Minnesota by a license holder for the conduct or solicitation of business when the principal place of business of the license holder is located outside the state of Minnesota.

Sec. 5. Minnesota Statutes 1986, section 326.32, subdivision 11, is amended to read:

Subd. 11. "Public member" means a person who is not, ~~or never nor ever~~ was, a member of the profession or occupation being licensed ~~or regulated~~, or the spouse of any such person or a person who has not, nor ever has had, a material or financial interest in either the providing of the professional service being licensed or regulated or an activity directly related to the profession ~~or~~ ~~occupation~~ being licensed ~~or regulated~~.

Sec. 6. Minnesota Statutes 1986, section 326.32, is amended by adding a subdivision to read:

Subd. 12. "Qualified representative" means the member of a partnership or corporation, who meets the qualifications for licensing as provided in sections 326.32 to 326.339. The qualified representative must be actively involved in the day to day management and supervision of the licensed activity.

Sec. 7. Minnesota Statutes 1986, section 326.33, subdivision 1, is amended to read:

Subdivision 1. ~~MEMBERS; MEETINGS.~~ There is hereby created a board of private detective and protective agent services, consisting of the superintendent of the bureau of criminal apprehension or a ~~departmental employee an~~ assistant superintendent designated by the superintendent, and the following members appointed by the commissioner of public safety: a licensed protective agent, or qualified representative for a licensed protective agent partnership or corporation, a licensed private detective, or qualified representative for a licensed private detective partnership or corporation, and two public members appointed by the commissioner of public safety. Filling of member vacancies shall be the responsibility of the commissioner of public safety. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. The provision of staff, unless otherwise provided in sections 326.32 to 326.339; administrative services and office space; the review and processing of complaints; the setting of board fees, unless otherwise provided in sections 326.32 to 326.339; and other provisions relating to board operations shall be as provided in chapter 214.

The board members shall meet as they deem necessary and conduct such business ascribed to the board by the provisions of sections 326.331 to 326.339. The board shall designate one of the board members to fulfill the capacity of

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board chair who will remain in the capacity of chair for a term of one year. The board shall have the option of retaining or replacing a board member as chair.

Sec. 8. Minnesota Statutes 1986, section 326.33, subdivision 2, is amended to read:

Subd. 2. **RULEMAKING MEETINGS; CHAIR.** ~~The board may adopt rules according to chapter 14 to govern the selection, training, and licensing of private detectives and protective agents~~ The board shall meet at the times it considers necessary to conduct business ascribed to the board by the provisions of sections 326.32 to 326.339. The board shall designate one of its members to fill the position of board chair, and that person may remain in the capacity of chair for a term of one year. The board has the option of replacing a board member as chair.

Sec. 9. **[326.3311] POWERS AND DUTIES.**

The board has the following powers and duties:

(1) to receive and review all applications for private detective and protective agent licenses;

(2) to approve applications for private detective and protective agent licenses and issue, or reissue licenses as provided in sections 326.32 to 326.339;

(3) to deny applications for private detective and protective agent licenses if the applicants do not meet the requirements of sections 326.32 to 326.339; upon denial of a license application, the board shall notify the applicant of the denial and the facts and circumstances that constitute the denial; the board shall advise the applicant of the right to a contested case hearing under chapter 14;

(4) to enforce all laws and rules governing private detectives and protective agents; and

(5) to suspend or revoke the license of a license holder or impose a civil penalty on a license holder for violations of any provision of sections 326.32 to 326.339 or the rules of the board.

Sec. 10. **[326.3321] EMPLOYEES.**

Subdivision 1. EXECUTIVE DIRECTOR. The board shall appoint an executive director to serve in the unclassified service at the pleasure of the board. The executive director shall perform the duties as the board shall prescribe.

Subd. 2. OTHERS. The board may employ and assign duties to other employees or agents as it considers necessary to discharge the functions of the board.

Sec. 11. **[326.3331] RULEMAKING.**

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The board shall adopt rules under chapter 14 to govern the selection, training, conduct, discipline, and licensing of private detectives and protective agents, and any other matters necessary to carry out duties imposed by sections 326.32 to 326.339.

Sec. 12. **[326.3341] EXEMPTIONS.**

Sections 326.32 to 326.339 do not apply to:

(1) an employee while providing security or conducting an investigation of a pending or potential claim against the employee's employer;

(2) a peace officer or employee of the United States, this state or one of its political subdivisions, while engaged in the discharge of official duties for the government employer;

(3) persons engaged exclusively in obtaining and furnishing information as to the financial standing, rating, and credit responsibility of persons or as to the personal habits and financial responsibility of applicants for insurance, indemnity bonds, or commercial credit;

(4) an attorney at law while performing the duties of an attorney at law or an investigator employed exclusively by an attorney or a law firm engaged in investigating legal matters;

(5) a collection agency or finance company licensed to do business under the laws of this state or an employee of one of those companies while acting within the scope of employment when making an investigation incidental to the business of the agency, including an investigation as to location of a debtor, of the debtor's assets or property, provided the client has a financial interest in or a lien upon the assets or property of the debtor;

(6) an insurance adjuster employed exclusively by an insurance company, or licensed as an adjuster with the state of Minnesota and engaged in the business of adjusting insurance claims; or

(7) persons engaged in responding to alarm signals including, but not limited to, fire alarms, industrial process failure alarms and burglary alarms, for purposes of maintaining, repairing or resetting the alarm, or for opening the premises for law enforcement personnel or responding agents.

Sec. 13. Minnesota Statutes 1986, section 326.336, is amended to read:

**326.336 EMPLOYEES OF LICENSE HOLDERS.**

Subdivision 1. A license holder may employ, in connection with the business of private detective or protective agent, as many unlicensed persons as may be necessary; provided ~~however,~~ that every license holder is at all times accountable for the good conduct of every person employed ~~in connection with the business of private detective or protective agent.~~ The employer shall submit to the bureau of criminal apprehension a full set of fingerprints of each employee

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and the written consent of the employee or prospective employee for the bureau to determine whether that person has a criminal record.

Subd. 2. An identification card shall be issued to each employee of a private detective agency or protective agency and shall be in the employee's possession at all times. Such identification card shall be issued by the license holder and contain the license holder's logo, corporate or company name, duly signed by the license holder or branch manager, the office address of the license holder or Minnesota branch of said license holder, the employee's photograph, and physical description, and shall bear the employee's signature. No identification card shall bear the word "police" or any other marking indicating the holder is a member of a police department or peace officer. The issuing agency shall have its name printed in full on said card and no initials that would correspond with municipal, state or federal law enforcement agencies shall be printed thereon. An identification card must be issued by the license holder to each employee. The card must be in the possession of the employee to whom it is issued at all times. The identification card must contain the license holder's name, logo (if any), address or Minnesota office address, and the employee's photograph and physical description. The card must be signed by the employee and by the license holder, qualified representative, or Minnesota office manager.

Subd. 3. Any person who shall be issued an identification card, badge, holster, weapon, shield or any other equipment bearing the name, trademark or trade name, or any combination thereof, of any licensed agency, or indicating that such person is a private detective, private protective agent, or employee of same, who does not return such badge, weapon, holster, identification card, uniform emblem, or other equipment to the owner thereof within ten days of the termination of employment, or of receiving a written request to return same, made by certified mail to the person's last known address, whichever shall last occur, shall be guilty of a misdemeanor.

Subd. 4. No employee of any license holder shall divulge to anyone other than the employer, or as the employer shall direct, except as may be required by law, any information acquired during such employment in respect of any matter or investigation undertaken or done by such employer. Any employee who shall make any false statement in an employment statement or who willfully makes a false report to the employer in respect to any matter in the course of the employer's business, or who shall otherwise violate the provisions of this subdivision is guilty of a misdemeanor.

Sec. 14. Minnesota Statutes 1986, section 326.338, subdivision 1, is amended to read:

Subdivision 1. **PRIVATE DETECTIVE.** Persons who for a fee or reward, or any other consideration shall engage in the business of investigators, or who for fee, reward or any consideration shall make investigations, undertake any of the following acts for the purpose of obtaining information for others with respect to any of the following matters are considered to be engaged in the business of a private detective: ~~Crime~~

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(1) investigating crimes or wrongs done or threatened against the government of the United States or of any state, county, or municipal subdivision thereof;

(2) investigating the identity, habits, conduct, movements, whereabouts, ~~affiliations~~, transactions, reputation, or character of any person or organization;

(3) investigating the credibility of witnesses or other persons; ~~the whereabouts of missing persons~~;

(4) investigating the location or recovery of lost or stolen property;

(5) investigating the origin of and responsibility for libels, losses, accidents, or damage or injuries to ~~real or personal~~ persons or property;

(6) investigating the affiliation, connection or ~~relation~~ relationship of any person, firm, or corporation with any organization, society, or association, or with any official, representative, or member thereof;

(7) investigating the conduct, honesty, efficiency, loyalty, or activities of employees ~~of~~, persons seeking employment, agents, or contractors and subcontractors; ~~the~~

(8) obtaining through investigation evidence to be used before any authorized investigating committee, board of award, board of arbitration, administrative body, or officer or in the preparation for trial of civil or criminal cases; or ~~the identification~~

(9) investigating the identity or apprehension of persons suspected of crimes or misdemeanors ~~shall be deemed engaged in the business of private detective.~~

Sec. 15. Minnesota Statutes 1986, section 326.338, is amended by adding a subdivision to read:

**Subd. 4. PROTECTIVE AGENT.** A person who for a fee, reward, or other valuable consideration undertakes any of the following acts is considered to be engaged in the business of protective agent:

(1) providing guards, private patrol, or other security personnel to protect persons or their property or to prevent the theft, unlawful taking of goods, merchandise, or money, or to prevent the misappropriation or concealment of goods, merchandise, money, or other valuable things, or to procure the return of those things;

(2) physically responding to any alarm signal device, burglar alarm, television camera, still camera, or a mechanical or electronic device installed or used to prevent or detect burglary, theft, shoplifting, pilferage, losses, or other security measures;

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(3) providing armored car services for the protection of persons or property;

(4) controlling motor traffic on public streets, roads, and highways for the purpose of escorting a funeral procession; or

(5) providing management and control of crowds for the purpose of safety and protection.

Sec. 16. [326.3381] LICENSES.

Subdivision 1. PROHIBITION. No person shall engage in the business of private detective or protective agent, or advertise or indicate in any verbal statement or in written material that the person is so engaged or available to supply those services, without having first obtained a license as provided in sections 326.32 to 326.339.

Subd. 2. APPLICATION PROCEDURE. The board shall issue a license upon application to any person qualified under sections 326.32 to 326.339 and under the rules of the board to engage in the business of private detective or protective agent. The license shall remain effective for two years as long as the license holder complies with sections 326.32 to 326.339, the laws of Minnesota, and the rules of the board. Upon receipt of an application for private detective or protective agent license, the board shall:

(1) post notice of the application in its office for a period of 20 days, and notify all persons who have requested notification of applications;

(2) conduct an investigation as it considers necessary to determine the qualifications of the applicant, qualified representative, Minnesota manager, and if appropriate, a partner or corporate officer; and

(3) notify the applicant of the date on which the board will conduct a review of the license application.

Subd. 3. DISQUALIFICATION. No person is qualified to hold a license who has:

(1) been convicted of (i) a felony by the courts of this or any other state or of the United States; (ii) acts which, if done in Minnesota, would be assault; theft; larceny; burglary; robbery; unlawful entry; extortion; defamation; buying or receiving stolen property; using, possessing, manufacturing, or carrying weapons unlawfully; using, possessing, or carrying burglary tools unlawfully; escape; possession, production, sale, or distribution of narcotics unlawfully; or (iii) in any other country of acts which, if done in Minnesota, would be a felony or would be any of the other offenses provided in this clause and for which a full pardon or similar relief has not been granted;

(2) made any false statement in an application for a license or any document required to be submitted to the board; or

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(3) failed to demonstrate to the board good character, honesty, and integrity.

Subd. 4. BUSINESS ENTITY APPLICANT. If the applicant for a license is a corporation or partnership, one member of that corporation or partnership must meet the licensing requirements in sections 326.32 to 326.339.

Subd. 5. NONRESIDENT APPLICANT. If an applicant's home office is located outside of Minnesota, and the applicant establishes a Minnesota office, the applicant shall provide a manager for the Minnesota office who meets the licensing requirements in sections 326.32 to 326.339.

**Sec. 17. [326.3382] APPLICATION FOR LICENSE.**

Subdivision 1. APPLICATION FORM. (a) Application for a private detective or protective agent license shall be made on a form prescribed by the board. Each applicant shall provide the following information:

(1) the full name, date of birth, and sex of each person signing the application, and the residences of those persons for the past five years;

(2) all past and present occupations and employers, length of employment, and the name, address, and telephone numbers of supervisors for all persons signing the application;

(3) the address or a description indicating the location of the place of business of the applicant;

(4) a statement indicating that each person signing the application has attained the age of 18;

(5) if the applicant is a corporation, the name of the corporation, the date and place of incorporation, and the location of its principal place of business or registered office in its state of incorporation; and

(6) further facts as may be required by the board to show the good character, competency, and integrity of each person signing the application; and

(b) each application shall be signed and acknowledged as follows:

(1) if the applicant is an individual, by the individual;

(2) if the applicant is a partnership, by each partner, one of whom must be a qualified representative; or

(3) if the applicant is a corporation, by the chief executive officer, chief financial officer, and the qualified representative of the corporation. If the principal place of the applicant's business is outside Minnesota, the application shall also include the signature of the Minnesota manager.

Subd. 2. DOCUMENTS ACCOMPANYING APPLICATION. (a) Each individual signing the application shall submit:

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(1) references, on forms provided by the board, from five persons who have known the signer for at least five years, and who are not related by blood or marriage to the signer; and

(2) a recent photograph and a full set of fingerprints for each person signing the application.

(b) If the application is for a private detective license, the individual signing the application shall submit a statement under oath by a present or previous employer that the applicant for an individual license, the qualified representative for a partnership or corporate license, or the Minnesota manager, as appropriate, has been employed as an investigator for a minimum of 6,000 hours by any of the following:

(1) a licensed private detective agency;

(2) a United States government investigative service;

(3) a city police department or sheriff's office; or

(4) an occupation that, the board finds equivalent in scope, responsibility, and training to one of the specific occupations listed;

and has the qualifications established in the rules of the board.

(c) If the application is for a protective agent license, each person signing the application shall submit a statement under oath by a present or previous employer that the applicant for an individual license, the qualified representative for a partnership or corporate license, or the Minnesota manager has been employed as an investigator or protective agent for a minimum of 6,000 hours by any of the following:

(1) a licensed protective agent or licensed private detective, having gained experience in security systems, audits, and supervision;

(2) a United States government investigative service;

(3) a city police department or sheriff's office; or

(4) an occupation that the board finds equivalent in scope, responsibility, and training to one of the specific occupations listed;

and has the qualifications established in the rules of the board.

**Subd. 3. PROOF OF INSURANCE.** (a) No license may be issued to a private detective or protective agent applicant until the applicant has complied with the requirements in this subdivision.

(b) The applicant shall execute a surety bond to the state of Minnesota in the penal sum of \$10,000 and file it with the board. The surety bond must be executed by a company authorized to do business in the state of Minnesota,

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must name the applicant as principal, and must state that the applicant and each of the applicant's employees shall faithfully observe all of the laws of Minnesota and of the United States and shall pay all damages suffered by any person by reason of a violation of law by the applicant or by the commission of any willful and malicious wrong by the applicant in the course of business.

(c) The applicant shall furnish proof, acceptable to the board, of the applicant's ability to respond in damages for liability on account of accidents or wrongdoings arising out of the ownership and operation of a private detective or protective agent business. Compliance with paragraph (d), (e), or (f) is satisfactory proof of financial responsibility for purposes of this paragraph.

(d) The applicant may file with the board a certificate of insurance demonstrating coverage for general liability, completed operations, and personal injury. Personal injury insurance must include coverage for:

- (1) false arrest, detention, imprisonment, and malicious prosecution;
- (2) libel, slander, defamation, and violation of rights of privacy; and
- (3) wrongful entry, eviction, and other invasion of rights of private occupancy.

The certificate must provide that the insurance may not be modified or canceled unless 30 days prior notice is given to the board.

(e) The applicant may file with the board an annual net worth statement, signed by a licensed certified public accountant, evidencing that the applicant has a net worth of at least the following:

- (1) for an applicant with no employees, \$10,000;
- (2) for an applicant with one to ten employees, \$15,000;
- (3) for an applicant with 11 to 25 employees, \$25,000;
- (4) for an applicant with 26 to 50 employees, \$50,000; or
- (5) for an applicant with 51 or more employees, \$100,000.

Data indicating with which of the above requirements an applicant must comply is public data. The contents of the net worth statement are private data on individuals or nonpublic data, as defined in section 13.02.

(f) The applicant may file with the board an irrevocable letter of credit from a financial institution acceptable to the board in the amount listed in the appropriate category in paragraph (e).

Subd. 4. LICENSE DISQUALIFICATION. Unlicensed activity will not be considered as legitimate experience for qualification in being licensed. An individual, partnership, corporation, qualified representative, or Minnesota manager engaged in the business of a private detective or protective agent without a

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license issued by the board is prohibited from applying for licensing for a period of one year from the date of a finding of the violation.

Sec. 18. [326.3383] LICENSE REISSUANCE.

Subdivision 1. REQUIREMENTS. The board shall reissue a private detective or protective agent license to a license holder without further board review, if the license holder who has complied with all applicable laws and rules:

(1) submits to the board an application for license reissuance on a form prescribed by the board;

(2) submits to the board a list of all current employees; and

(3) remits the expired license to the board.

Subd. 2. APPEARANCE. Nothing in this section shall preclude the board from requiring the appearance of the license holder at a board meeting prior to the reissuance of the license.

Subd. 3. BOND AND PROOF OF FINANCIAL RESPONSIBILITY. Each applicant for license reissuance shall maintain a \$10,000 surety bond, and show proof of financial responsibility as required in section 17, subdivision 3.

Sec. 19. [326.3384] PROHIBITED ACTS.

Subdivision 1. PROHIBITION. No license holder or employee of a license holder shall, in a manner that implies that the person is an employee or agent of a governmental agency, display on a badge, identification card, emblem, vehicle, uniform, stationery, or in advertising for private detective or protective agent services:

(1) the words "police," "constable," "highway patrol," "sheriff," "trooper," or "law enforcement"; or

(2) the name of a municipality, county, state, or of the United States, or any governmental subdivision thereof.

Subd. 2. PENALTY. A license holder violating subdivision 1 is guilty of a gross misdemeanor.

Sec. 20. [326.3385] CONDITIONS OF LICENSING.

Subdivision 1. NOTICE OF ADDRESS CHANGE. A license holder who moves to an address other than that given on the license certificate shall give written notice to the board within seven days of the move. The notice shall give the new address or location, the date the move was made, and be accompanied by the license, at which time a new license will be made showing the new address or location.

Subd. 2. NOTICE OF SUCCESSOR. A corporate or partnership license

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holder shall, within seven days of the death, resignation, or removal of a person signing the license application, give written notice to the board of the change and the name and address of the successor in the vacated position.

Within seven days of the death, resignation, or removal of a person signing the license application for a partnership or corporate license holder, the successor qualified representative, partner, Minnesota manager, chief executive officer, or chief financial officer who shall qualify under the same procedure and criteria, and submit the documents required, as for an original application.

Subd. 3. SURRENDER OF LICENSE. Every license issued to a license holder shall be surrendered to the board within seven days after its expiration, or upon notice to a license holder that a license has been revoked or suspended. If the license cannot be returned, a notarized statement indicating the circumstances shall be submitted to the board.

Subd. 4. PENALTY. Failure to comply with the provisions of subdivision 1, 2, or 3 may result in the revocation or suspension of the license, or the imposition of an administrative penalty.

**Sec. 21. [326.3386] FEES.**

Subdivision 1. APPLICATION FEE. Each applicant for a private detective or protective agent license shall pay to the board a nonrefundable application fee, as determined by the board.

Subd. 2. LICENSE FEE. Each applicant for a private detective or protective agent license shall pay to the board a license fee, as determined by the board. In the event that an applicant is denied licensing by the board, one-half of the license fee shall be refunded to the applicant.

Subd. 3. DESIGNATION FEE. When a licensed private detective or protective agent who is a partnership or corporation, desires to designate a new qualified representative or Minnesota manager, a fee equal to one-half of the application fee shall be submitted to the board.

Subd. 4. STATUS FEE. At the time a licensed private detective or protective agent wishes to change a license status, as in the case of an individual license holder establishing a corporation, the difference between the individual license fee and the corporate license fee shall be paid to the board.

Subd. 5. REISSUANCE FEE. License holders seeking license reissuance shall pay to the board a license reissuance fee as determined by the board.

Subd. 6. BUSINESS OR DIVISION FEE. If a private detective or protective agent license holder wishes to add additional business names or corporate division names to an existing license, the license holder shall be required to pay a fee as determined by the board.

Subd. 7. RULES. All fees authorized by this section shall be established by

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rule by the board. All fees paid to the board shall be paid to the general fund. The cost of administering sections 326.32 to 326.339, shall be paid from appropriations made to the board.

**Sec. 22. [326.3387] DISCIPLINARY ACTION.**

Subdivision 1. BASIS FOR ACTION. The board may revoke or suspend or refuse to issue or reissue a private detective or protective agent license if:

(a) the license holder violates a provision of sections 326.32 to 326.339 or a rule adopted under those sections;

(b) the license holder has engaged in fraud, deceit, or misrepresentation while in the business of private detective or protective agent;

(c) the license holder has made a false statement in an application submitted to the board or in a document required to be submitted to the board; or

(d) the license holder violates an order of the board.

Subd. 2. HEARING REQUIRED. The board may impose the following penalties only after a contested case hearing under chapter 14:

(a) revoke or suspend a private detective or protective agent license; or

(b) impose an administrative penalty in excess of \$500.

**Sec. 23. [326.3388] ADMINISTRATIVE PENALTIES.**

The board shall, by rule, establish a graduated schedule of administrative penalties for violations of sections 326.32 to 326.339 or the board's rules. The schedule must include minimum and maximum penalties for each violation and be based on and reflect the culpability, frequency, and severity of the violator's actions. The board may impose a penalty from the schedule on a license holder for a violation of sections 326.32 to 326.339 or the rules of the board. The penalty is in addition to any criminal penalty imposed for the same violation. Administrative penalties imposed by the board must be paid to the general fund.

**Sec. 24. [326.3389] LICENSES NONTRANSFERABLE.**

A license issued under sections 326.32 to 326.339 may not be transferred.

Sec. 25. Minnesota Statutes 1986, section 326.339, is amended to read:

**326.339 VIOLATIONS; PENALTY.**

Unless otherwise specifically provided any violation of any provision or requirement of sections ~~326.334~~ 326.32 to 326.339 is a gross misdemeanor.

**Sec. 26. REPEALER.**

Minnesota Statutes 1986, sections 326.32, subdivisions 6 and 7; 326.33, subdivisions 3, 4, and 5; 326.331; 326.332; 326.333; 326.334; 326.337; and 326.338, subdivisions 2 and 3; are repealed.

Approved June 2, 1987

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