

7400.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Automatic telephone answering service.** "Automatic telephone answering service" means either a human operator or an automatic device that answers the dealer's telephone and is capable of taking messages.

Subp. 3. **Board member.** "Board member" means a director in a corporation and a governor in a limited liability company.

Subp. 4. **Days.** "Days" means calendar days when referring to the amount of time when the performance or doing of an act, duty, matter, payment, or thing is ordered, directed, or prescribed. A period of time measured in days, except as otherwise provided, must be computed so as to exclude the first and include the last day of the prescribed or fixed period or duration of time. When the last day of the period falls on a Saturday, Sunday, or legal holiday, that day must be omitted from the computation.

Subp. 5. **Dealer.** "Dealer" has the meaning given it in Minnesota Statutes, section 168.27, subdivision 1, clause (5).

Subp. 6. **Franchise.** "Franchise" has the meaning given it in Minnesota Statutes, section 80E.03, subdivision 8.

Subp. 7. **High value vehicle.** "High value vehicle" means a vehicle that is six years old or older as calculated from the first day of January of the designated model year that had an actual cash value in excess of \$5,000 before being damaged, or a vehicle with a manufacturer's rating of over 26,000 pounds gross vehicle weight.

Subp. 8. **Late model vehicle.** "Late model vehicle" means a vehicle that is less than six years old as calculated from the first day of January of the designated model year.

Subp. 9. **Motor vehicle.** "Motor vehicle" has the meaning given it in Minnesota Statutes, section 168.27, subdivision 1, clause (13).

Subp. 10. **Motor vehicle transaction.** A "motor vehicle transaction" includes the transactions listed in Minnesota Statutes, section 168.27, subdivisions 2, 3, 3a, 3b, 3c, 4, 6, and 7, for which a person must be licensed as a motor vehicle dealer in order to conduct the transaction.

Subp. 11. **New motor vehicle.** "New motor vehicle" has the meaning given it in Minnesota Statutes, section 168.27, subdivision 1, clause (11).

Subp. 12. **Officer.** "Officer" means an officer of a corporation and a manager of a limited liability company.

Subp. 13. **Owner.** "Owner" means:

- A. the sole proprietor of a proprietorship;
- B. a partner in a partnership;
- C. a corporation shareholder holding five percent or more of voting power of the shares issued; or
- D. a limited liability company member holding five percent or more of the voting power of the membership interests issued.

Subp. 14. **Primarily engaged in the business of.** "Primarily engaged in the business of," as it applies to a used vehicle parts dealer who buys or otherwise acquires vehicles for dismantling and selling the used parts and remaining scrap metals, means that the dealer has acquired more than five of those vehicles in a 12-month period and that acquiring those vehicles is not incidental to the dealer's business.

Subp. 15. **Registrar.** "Registrar" means the registrar of motor vehicles of Minnesota, acting directly or through authorized agents. Under Minnesota Statutes, section 168.33, the commissioner of public safety is the registrar of motor vehicles.

Subp. 16. **Sale, sells, selling, purchase, purchased, or acquired.** "Sale," "sells," "selling," "purchase," "purchased," or "acquired" has the meaning given it in Minnesota Statutes, section 297B.01, subdivision 16.

Subp. 17. **Sufficient cause to believe.** "Sufficient cause to believe" means grounds put forth in good faith that are not arbitrary, irrational, unreasonable, or irrelevant and that make the proposition asserted more likely than not, provided the grounds are based on at least one of the following sources:

- A. written information from an identified person;
- B. facts or statements supplied by the applicant or dealer;
- C. court documents and police records; and
- D. facts of which the registrar or the registrar's employees have personal knowledge.

Subp. 18. **Used motor vehicle.** "Used motor vehicle" has the meaning given it in Minnesota Statutes, section 168.27, subdivision 1, clause (10).

Subp. 19. **Vehicle.** "Vehicle" has the meaning given it in Minnesota Statutes, section 168A.01, subdivision 24.

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