

7404.0100 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of this chapter, the following terms have the meanings given them.

Subp. 2. **Agent.** "Agent" means an individual appointed under this chapter and Minnesota Statutes, section 171.061.

Subp. 3. **Applicant.** "Applicant" has the meaning given in Minnesota Statutes, section 171.061, subdivision 1, clause (1).

Subp. 4. **Application.** "Application" has the meaning given in Minnesota Statutes, section 171.061, subdivision 1, clause (2).

A. An application must be in a paper, electronic, or other format as prescribed by the commissioner.

B. An application includes the supporting documents provided by the applicant.

Subp. 5. **Approved office location.** "Approved office location" means a location that has been approved by the commissioner as meeting the requirements of part 7404.0300 but for which an agent appointment has not been made.

Subp. 6. **Bureau.** "Bureau" means a county licensing bureau established under Minnesota Statutes, section 373.33. A bureau includes all approved office locations established under the bureau to accept applications.

Subp. 7. **Certificate of appointment.** "Certificate of appointment" means the documents appointing the agent.

Subp. 8. **Collected or collection.** "Collected" or "collection" means:

A. the receipt of application and reinstatement fees and other related fees paid by an applicant less the filing fee specified in Minnesota Statutes, section 171.061, subdivision 4, paragraph (c); and

B. the receipt by the agent from the applicant of any required application or form.

Subp. 9. **Commissioner.** "Commissioner" means the commissioner of public safety.

Subp. 9a. **Convenience fee.** "Convenience fee" means an additional amount charged to a person's credit card or debit card when the person chooses to pay for a transaction by credit card or debit card.

Subp. 10. **County board.** "County board" means the county board governed by the provisions in Minnesota Statutes, chapter 375.

Subp. 11. **Conviction of crime.** "Conviction of crime" means conviction of a felony, gross misdemeanor, or misdemeanor reasonably related to the function of an agent.

Subp. 12. **Deputy registrar.** "Deputy registrar" means a person appointed under chapter 7406 and Minnesota Statutes, section 168.33.

Subp. 13. **Discontinuance or discontinued.** "Discontinuance" or "discontinued" means the immediate suspension, suspension, or revocation of an appointment.

Subp. 14. **Existing office.** "Existing office" means an agent office for which the location has been approved and the appointment of the agent has been made by or approved by the commissioner, as specified in a certificate of appointment. An existing office does not include state-operated application or examination sites.

Subp. 15. **Inventory.** "Inventory" means state-issued or required supplies and equipment necessary to process applications such as forms, vision-testing equipment, and photo identification equipment.

Subp. 16. **Metropolitan county.** "Metropolitan county" has the meaning given it in Minnesota Statutes, section 473.121, subdivision 4.

Subp. 17. **Municipality.** "Municipality" means a statutory city, home rule charter city, town, or township.

Subp. 18. **Next working day.** "Next working day" means the 24-hour period following the daily close of the agent's office. A working day does not include:

A. a Saturday, Sunday, or legal holiday listed in Minnesota Statutes, section 645.44, subdivision 5;

B. a nonbanking day of approved state depositories;

C. a holiday authorized under Minnesota Statutes, section 373.052, subdivision 1, for agents who are county officers or employees; or

D. a day that an office is not open for business, upon approval from the commissioner.

Subp. 19. **Office.** "Office" means an existing office unless otherwise specified.

Subp. 20. **Proposed office location.** "Proposed office location" means a location that has been submitted to the commissioner for consideration as an approved office location under part 7404.0300, or a move of an existing office location under part 7404.0330.

Subp. 21. **Qualified newspaper.** "Qualified newspaper" means a newspaper that meets the requirements of Minnesota Statutes, chapter 331A.

Subp. 22. **Sufficient cause to believe.** "Sufficient cause to believe" means grounds that are put forth in good faith; that are not arbitrary, irrational, unreasonable, or irrelevant;

that make the proposition asserted more likely than not; and that are based on at least one of the following sources:

- A. written information from an identified person;
- B. facts or statements by an applicant for appointment as an agent, or by an appointed agent;
- C. court documents, state records, and police records; or
- D. facts of which the commissioner or commissioner's employees have personal knowledge.

Statutory Authority: *MS s 14.06; 14.386; 171.06; 171.061; 373.35*

History: *23 SR 1454; 32 SR 1283; 37 SR 239*

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