

7404.0307 OFFICE LOCATION PROPOSED BY COMMISSIONER.

Subpart 1. **Commissioner's initiative; criteria.** Part 7404.0300 notwithstanding, the commissioner may propose an office location to be overseen by a licensing agent. The office location may be proposed to:

- A. meet an emerging or demonstrated application site need;
- B. address an emerging or demonstrated population need; or
- C. improve public access or service delivery.

Subp. 2. **Notice.** When the commissioner proposes an office location, notice of the proposed office location must be made to existing licensing agents.

A. If the proposed office location complies with the distance and projected application numbers in part 7404.0300, the commissioner shall publish notice of the proposed office location once in a qualified newspaper in the county where the proposed office is located. The notice must specify the:

- (1) site of the proposed office;
- (2) commissioner's intent to appoint an agent at that location and request applications;
- (3) responsibility of the agent to accept applications;
- (4) commissioner's authority under statute and rule to make the appointment;
- (5) name, address, telephone and facsimile numbers, and e-mail address of the individual to contact about the appointment; and
- (6) deadline, at least 14 days after the date the notice appears, for submitting the application to the commissioner.

B. The process for appointing an agent at the proposed office location shall follow the applicable procedures in parts 7404.0360 and 7404.0370.

C. If the commissioner's proposed office location is within the distances specified in part 7404.0300 from an existing licensing agent's office, the commissioner shall:

- (1) notify each existing licensing agent with an approved office within the distance radius that the commissioner has proposed to accept applications at the proposed office location; and
- (2) request the existing licensing agent to either operate the new office location or move to the site.

D. If more than one existing licensing agent is within the distance radius of the commissioner's proposed office location, the commissioner shall consider appointment of a licensing agent in order of the agent office closest to the proposed location.

E. If all agents within the distance radius decline the appointment to operate the new office location, then the commissioner shall proceed to appoint an agent for the office following the procedures in item A.

F. Nothing in this part prevents a state-operated application site from opening at a location for public convenience or the efficient and effective delivery of state services.

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

History: *32 SR 1283*

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