

7406.0300 PROPOSING DEPUTY REGISTRAR OFFICE LOCATION.

Subpart 1. **Metropolitan county.** The conditions listed in this subpart must be met before a proposed deputy registrar office location may be considered in a metropolitan county.

A. The proposed office location must not be located within a ten-mile radius of an existing office.

B. The estimated number of transactions that a proposed office processes annually must be at least 35,000. The commissioner shall estimate the number of transactions as 30 percent of the transactions processed within the preceding calendar year by existing offices located within a radius of the proposed office location of over ten miles and less than 19 miles.

C. The commissioner shall not consider the proposed office location if the use of the percentage of transactions processed by an existing office to establish a proposed office would reduce the number of transactions to less than:

- (1) 70,000 for an existing office located in a metropolitan county;
- (2) 40,000 for an existing office located in an area under subpart 1a; or
- (3) 4,000 for an existing office located in an area under subpart 2.

D. If a percentage of transactions processed by an existing office was used to establish a new office, that percentage may not be used again in consideration of another proposed office within a two-year period. The two-year period starts from the date the deputy registrar was appointed.

E. The commissioner shall not consider a proposed office location if the proposed office location is within a 20-mile radius of an existing office that was established within the last two years. The two-year period starts from the date the deputy registrar was appointed.

Subp. 1a. **Municipalities with over 50,000 population.** The conditions listed in this subpart must be met before the commissioner considers a proposed office location in a municipality with a population exceeding 50,000, not including municipalities in a metropolitan county.

A. The proposed office location must not be located within a ten-mile radius of an existing office.

B. A maximum of two offices may exist in any municipality with a population exceeding 50,000.

C. The estimated number of transactions that a proposed office location processes annually must be at least 40,000. The commissioner shall estimate the number of transactions as the largest number computed in subitem (1), (2), or (3):

(1) 30 percent of the transactions processed within the preceding calendar year by existing offices located within a radius of the proposed office location of over five miles but less than 6-1/2 miles;

(2) 20 percent of the transactions processed within the preceding calendar year by existing offices located within a radius of the proposed office location of at least 6-1/2 miles but less than eight miles; or

(3) ten percent of the transactions processed within the preceding calendar year by existing offices located within a radius of the proposed office location of at least eight miles but less than 9-1/2 miles.

D. The commissioner shall not consider a proposed office location if the use of a percentage of transactions processed by an existing office to establish a proposed office would reduce the number of transactions to less than:

(1) 70,000 for an existing office located in an area under subpart 1;

(2) 40,000 for an existing office located in an area under this subpart; or

(3) 4,000 for an existing office located in an area under subpart 2.

E. If a percentage of transactions processed by an existing office was used to establish a new office, that percentage may not be used again in consideration of another proposed office within a two-year period. The two-year period starts from the date the deputy registrar was appointed.

F. The commissioner shall not consider a proposed office location if the proposed office location is within a 20-mile radius of an existing office that was established within the last two years. The two-year period starts from the date the deputy registrar was appointed.

Subp. 2. **Other areas.** In all other municipalities not included in subpart 1 or 1a, the conditions listed in items A to E must be met before a proposed office location is considered.

A. The proposed office location must not be located within a 15-mile radius of an existing office, except that:

(1) in municipalities having a population of 25,000 to 50,000, a maximum of two offices may exist, and the proposed office must not be located within a three-mile radius of an existing office in that municipality; and

(2) the proposed office location must not be located in a municipality of less than 25,000 population if there is an existing office in that municipality.

B. The estimated number of transactions a proposed office location processes annually must be at least 4,000. The number of transactions must be estimated as follows:

(1) 20 percent of the transactions processed within the preceding year by existing offices located within a 20-mile radius of the proposed office location; or

(2) if there is no existing office located within a 20-mile radius of the proposed office location, 110 percent of the population of the municipalities that are closer to the proposed office location than to other existing offices.

C. The commissioner shall not consider a proposed office location if the use of the percentage of transactions processed by an existing office, to establish a proposed office, would reduce the number of transactions to less than:

(1) 70,000 for an existing office located in an area under subpart 1;

(2) 40,000 for an existing office located in an area under subpart 1a; or

(3) 4,000 for an existing office located in an area under this subpart.

D. If a percentage of transactions processed by an existing office was used to establish a new office, that percentage may not be used again in consideration of another proposed office within a two-year period. The two-year period starts from the date the deputy registrar was appointed.

E. The commissioner shall not consider a proposed office location if the proposed office location is within a 30-mile radius of an existing office that was established within the last two years. The two-year period starts from the date the deputy registrar was appointed.

Statutory Authority: *MS s 14.06; 168.33; 299A.01*

History: *13 SR 1733; 20 SR 2784; 29 SR 97*

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