

8880.0300 GENERAL REQUIREMENTS.

Subpart 1. **Permit required.** No person may operate a limousine service or advertise or otherwise hold out as a limousine operator without a valid permit issued by the commissioner.

Subp. 1a. **Limousine operator responsible.** A limousine operator is responsible for ensuring that all drivers it retains, including employees, independent contractors, and leased drivers, comply with the requirements in this chapter.

Subp. 2. **Inspection and decal required.** No person may operate a limousine providing limousine service until the limousine has passed an inspection as required by part 8880.1100 and displays a valid limousine identification decal as required in part 8880.0700, subpart 3.

Subp. 2a. **Inspection disclosure.** In accordance with the Infrastructure Investment and Jobs Act, Public Law 117-58, the limousine operator must prominently disclose in a clear and conspicuous notice, including on the website of the operator if the operator has a website, the following, as applicable:

- A. the date of the most recent inspection of the limousine required under state or federal law;
- B. the results of the inspection; and
- C. any corrective action taken by the limousine operator to ensure the limousine passed inspection.

Subp. 3. **Insurance required.** The insurance requirements in Minnesota Statutes, sections 168.128 and 221.141, and parts 8855.0300, 8855.0400, 8855.0700, and 8855.0800 apply to a limousine operator. For purposes of this subpart, "motor carrier," as used in Minnesota Statutes, section 221.141, and parts 8855.0300, 8855.0400, 8855.0700, and 8855.0800, means a limousine operator. No person may operate a limousine providing limousine service until the limousine operator complies with the insurance requirements described in this subpart.

Subp. 4. **Advertising restrictions.** A limousine operator must conspicuously display its permit number in all advertisements or publications, including but not limited to brochures, business cards, and the operator's website or other online communications. No person, other than a limousine operator with a valid permit, may use in a name or in advertisements or publications:

- A. the words "limousine" or "limousine service"; or
- B. the words "licensed and insured" if those words are used in a way that suggests or implies that a service is provided by a limousine operator with a valid permit.

Subp. 5. **Use of unauthorized name prohibited.** A limousine operator must not provide limousine service under a name other than the name under which a permit was obtained.

Subp. 6. **Fares and records.** A limousine operator must charge a fare greater than a taxicab fare for a comparable trip. A limousine operator must maintain a record of each trip provided under

its permit and the fare charged for the trip. The record must meet the requirements of part 8880.1000, subpart 2.

Subp. 7. **Trip referrals.** A limousine operator may arrange with another limousine operator to provide limousine service requested by a customer only if the limousine operator:

A. that refers the service keeps the trip referral record required in part 8880.1000, subpart 3; or

B. that provides the service clearly and accurately identifies itself to the customer and keeps the trip and fare record required in part 8880.1000, subpart 2.

Subp. 8. **Leased vehicles and drivers.** A limousine operator may lease a vehicle from the vehicle's owner and use it to provide limousine service under the lessee's permit. Both the lessor and the lessee must keep one signed copy of a written lease and a copy must be kept in the leased vehicle at all times during the term of a lease. A lease may include the services of a driver. A lease must state:

A. the names of the lessor and lessee;

B. the date and duration of the lease;

C. the terms of compensation to be paid by the lessee to the lessor;

D. the vehicle's vehicle identification number and that the lessee has exclusive possession, control, and use of the vehicle and is considered the owner of the vehicle for the duration of the lease for all purposes, including compliance with parts 8880.0300 to 8880.1300; and

E. if the lease includes the services of a driver, that the lessee assumes the responsibility of determining that the driver meets the qualifications in part 8880.0800 and must keep the records required in part 8880.1000, subpart 5.

A lessor must not exercise control over fares charged. The provision of limousine service, including advertisements and arrangements for service, must be conducted by, and in the name of, the lessee only. A lessee or lessor must not represent, imply, or suggest that limousine service is being offered or provided by the lessor.

Subp. 9. **Solicitation prohibited.** A limousine operator, its agents, or its employees must not solicit passengers in person to provide limousine service at the time of, or shortly after, the solicitation. This subpart does not prohibit a limousine operator from advertising the service it provides in the normal course of business.

Subp. 10. **Adjustment of limousine value.** The dollar value imposed by part 8880.0100, subpart 12, item C, must be adjusted by the commissioner on a biennial basis according to the requirements of this subpart and published on the department's website.

A. In November of each even-numbered year, the commissioner must obtain from the Federal Register the percentage change in the Consumer Price Index published by the secretary of

labor for October of the preceding federal fiscal year and October of the federal fiscal year in which the publication is made.

B. If in any fiscal year the percentage change indicates an increase in the Consumer Price Index, as determined under item A, then the dollar value imposed by part 8880.0100, subpart 12, item C, for the subsequent fiscal year must be equal to the dollar value increased by the percentage change, rounded off to the nearest \$500 increment.

C. If in any fiscal year the percentage change does not indicate an increase in the Consumer Price Index, as determined under item A, then the dollar value imposed by part 8880.0100, subpart 12, item C, remains the same.

For purposes of this subpart, "Consumer Price Index" means the Consumer Price Index for All Urban Consumers, published monthly by the United States Department of Labor, Bureau of Labor Statistics.

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