

1 Department of Transportation

2

3 Adopted Permanent Rules Relating to Limousine Service and Permit
4 Requirements

5

6 Rules as Adopted

7 8880.0100 DEFINITIONS.

8 Subpart 1. Scope. Unless the language or context clearly
9 suggests a different meaning is intended, words, terms, and
10 phrases used in this chapter have the meanings given them in
11 this part.

12 Subp. 2. Bus. "Bus" has the meaning given it in Minnesota
13 Statutes, section 169.01, subdivision 50.

14 Subp. 3. Commissioner. "Commissioner" means the
15 commissioner of the Minnesota Department of Transportation.

16 Subp. 4. Conviction. "Conviction" has the meaning given
17 it in Minnesota Statutes, section 171.01, subdivision 13.

18 Subp. 5. Criminal record. "Criminal record" means the
19 conviction records of the Minnesota Bureau of Criminal
20 Apprehension in which the last date of discharge from the
21 criminal justice system is less than five years.

22 Subp. 6. Department. "Department" means the Minnesota
23 Department of Transportation.

24 Subp. 7. Driver. "Driver" means a person who drives or is
25 in actual physical control of a limousine providing limousine
26 service.

27 Subp. 8. For hire. "For hire" has the meaning given it in
28 Minnesota Statutes, section 221.011, subdivision 16.

29 Subp. 9. Limousine. "Limousine" means an unmarked luxury
30 passenger automobile that is not a van or station wagon and has
31 a seating capacity of not more than 12 persons, excluding the
32 driver.

33 Subp. 10. Limousine operator. "Limousine operator" means
34 a person who owns or leases and operates a limousine and who is
35 subject to Minnesota Statutes, section 221.84, and this

1 chapter. "Limousine operator" does not include a broker or
 2 other person who arranges for, but does not provide, limousine
 3 service.

4 Subp. 11. Limousine service. "Limousine service" means a
 5 service that:

- 6 A. is not provided on a regular route;
- 7 B. is for hire;
- 8 C. is provided in a limousine;
- 9 D. provides only prearranged pickup; and
- 10 E. charges more than a taxicab fare for a comparable
 11 trip.

12 "Limousine service" does not include service provided by a
 13 person who is a private carrier as described in Minnesota
 14 Statutes, section 221.011, subdivision 26.

15 Subp. 12. Luxury passenger automobile. "Luxury passenger
 16 automobile" means a passenger automobile that does not have a
 17 meter and:

- 18 A. has a chassis and wheelbase that have been
 19 stretched beyond the length of the manufacturer's original
 20 specifications for the vehicle;
- 21 B. is ~~an-executive a~~ an executive a sedan originally-manufactured
 22 ~~with-four-doors-and-a-seating-capacity-of-not-more-than-five~~
 23 ~~persons,-excluding-the-driver,-and-equipped-with-interior~~
 24 ~~furnishings-and-amenities-controllable-from-the-rear-passenger~~
 25 ~~seating-area-that-are-not-normally-provided-in-passenger~~
 26 ~~automobiles,-such-as-a-television,-musical-sound-system,~~
 27 ~~telephone,-or-a-driver-passenger-intercom-communication-system~~
 28 ~~or-power-operated-partition-dividing-the-driver-and-passenger~~
 29 ~~compartments~~ that the manufacturer characterizes as a luxury
 30 automobile in sales or promotional material regularly
 31 distributed to the public; or
- 32 C. is ~~an-executive a~~ an executive a sedan with a an original
 33 manufacturer's suggested retail price or present fair market
 34 value of more than \$25,000 ~~that-has-four-doors-and-a-seating~~
 35 ~~capacity-of-not-more-than-five-persons,-excluding-the-driver.~~

36 Luxury passenger automobile does not include a bus, pickup

1 truck, station wagon, taxicab, truck, or van.

2 Subp. 13. **Meter.** "Meter" means a device that measures the
3 distance a motor vehicle travels, records the time a motor
4 vehicle travels or waits, and shows the fare charged for the
5 transportation of passengers.

6 Subp. 14. **Motor vehicle.** "Motor vehicle" has the meaning
7 given it in Minnesota Statutes, section 169.01, subdivision 3.

8 Subp. 15. **Permit.** "Permit" means the license issued to a
9 limousine operator under this chapter.

10 Subp. 16. **Person.** "Person" has the meaning given it in
11 Minnesota Statutes, section 221.011, subdivision 6.

12 Subp. 17. **Pickup truck.** "Pickup truck" has the meaning
13 given it in Minnesota Statutes, section 168.011, subdivision 29.

14 Subp. 18. **Political subdivision.** "Political subdivision"
15 means a state agency, a county, a city, or the Metropolitan
16 Airports Commission.

17 Subp. 19. **Prearranged pickup.** "Prearranged pickup" means
18 limousine transportation initiated at the request of a passenger
19 or a passenger's representative.

20 Subp. 20. **Public highway.** "Public highway" has the
21 meaning given it in Minnesota Statutes, section 221.011,
22 subdivision 5.

23 Subp. 21. **Regular route.** "Regular route" means
24 transportation on the public highways that is not prearranged
25 pickup and is habitually conducted between fixed points over
26 fixed routes, or on regular time schedules.

27 Subp. 22. **Station wagon.** "Station wagon" means a motor
28 vehicle that is not a van, is designed primarily for the
29 transportation of passengers, and is commonly manufactured with
30 storage space for the transportation of property with no barrier
31 or separation between the passenger area and the storage area.

32 Subp. 23. **Taxicab.** "Taxicab" means a motor vehicle, other
33 than a limousine or bus, used for transporting passengers for
34 compensation as determined by a meter_{7i} or by a flat rate
35 schedule, according to the distance traveled, the time elapsed,
36 and or number of passengers carried, irrespective of whether the

1 transportation extends beyond the boundary lines of a city.

2 Subp. 24. **Truck.** "Truck" means a motor vehicle designed
3 and originally manufactured primarily for the transportation of
4 property and not passengers.

5 Subp. 25. **Unmarked.** "Unmarked" means without visible
6 numbers, letters, symbols, graphic representations, or
7 advertising. The term unmarked does not include a license
8 plate, vehicle identification decal, or other means of
9 identification required by federal law or regulation.

10 Subp. 26. **Van.** "Van" means a motor vehicle of box-like
11 design that is manufactured, equipped, modified, or converted as
12 a passenger motor vehicle.

13 8880.0200 AUTHORITY.

14 Parts 8880.0100 to 8880.1400 are adopted under Minnesota
15 Statutes, section 221.84, subdivision 2.

16 8880.0300 GENERAL REQUIREMENTS.

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

21 Subp. 2. **Decal required.** No person may operate a
22 limousine providing limousine service unless the limousine
23 displays a valid limousine identification decal as required in
24 part 8880.0700, subpart 3.

25 Subp. 3. **Insurance required.** The insurance requirements
26 in Minnesota Statutes, sections 168.128 and 221.141, and parts
27 8855.0300, 8855.0400, and 8855.0600 to 8855.0850 apply to a
28 limousine operator. For purposes of this subpart, "motor
29 carrier," as used in Minnesota Statutes, section 221.141, and
30 parts 8855.0300, 8855.0400, and 8855.0600 to 8855.0850, means a
31 limousine operator. No person may operate a limousine providing
32 limousine service until the person complies with the insurance
33 requirements described in this subpart.

34 Subp. 4. **Advertising restrictions.** A limousine operator
35 shall conspicuously display its permit number in advertisements

1 or information that calls attention to or describes services
2 offered by the limousine operator. No person, other than a
3 limousine operator with a valid permit, may use in a name or in
4 advertisements or information describing a service the person
5 provides:

6 A. the words "limousine" or "limousine service"; or

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

10 Subp. 5. Use of unauthorized name prohibited. A limousine
11 operator may not provide limousine service under a name other
12 than the name under which a permit was obtained.

13 Subp. 6. Fares and records. A limousine operator shall
14 charge a fare greater than a taxicab fare for a comparable
15 trip. A limousine operator shall maintain a record of each trip
16 provided under its permit and the fare charged for the trip.
17 The record must meet the requirements of part 8880.1000, subpart
18 2.

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

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

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

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

34 A. the names of the lessor and lessee;

35 B. the date and duration of the lease;

36 C. the terms of compensation to be paid by the lessee

1 to the lessor;

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

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

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

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

23 8880.0400 LIMOUSINE SERVICE PERMIT APPLICATION; FEES.

24 Subpart 1. **Forms.** Application for a permit must be made
25 on forms provided by the commissioner. Application forms may be
26 obtained from the Minnesota Department of Transportation, Office
27 of Motor Carrier Services, Minnesota Administrative Truck
28 Center, 100 Stockyards Road, South Saint Paul, Minnesota 55075.
29 Completed applications must be returned to that office.

30 Subp. 2. **Information required.** Applicants for a permit
31 shall give the following information to the commissioner:

32 A. the applicant's name, including an assumed or
33 fictitious name used by the applicant in doing business;

34 B. the applicant's mailing address and business
35 telephone number;

1 C. the name, title, and telephone number of the
2 individual who is responsible for the day-to-day operation of
3 the limousine service;

4 D. the principal location from which the applicant
5 conducts its business and where the records required by part
6 8880.1000 will be kept;

7 E. if different from item D, the location in
8 Minnesota where the records required by part 8880.1000 will be
9 available for inspection and copying;

10 F. whether the applicant's business is a corporation,
11 partnership, limited liability company, or sole proprietorship;

12 G. the names of corporate directors and officers,
13 general partners, limited liability company board members, or
14 owners of the applicant's business;

15 H. whether the applicant or an applicant's corporate
16 directors or officers, general partners, limited liability
17 company board members, or owners of the applicant's business is
18 a permit holder;

19 I. whether the applicant or an applicant's corporate
20 directors or officers, general partners, limited liability
21 company board members, or owners of the applicant's business has
22 had a permit revoked during the preceding year and, if so, the
23 number of the revoked permit; and

24 J. if the applicant is a foreign corporation
25 authorized to transact business in Minnesota, the name and
26 address of its registered agent.

27 Subp. 3. **Signature required.** An application must be
28 signed only by a corporate officer, general partner, limited
29 liability company board member, or sole proprietor. A signature
30 must be notarized.

31 Subp. 4. **Workers' compensation coverage.** The applicant
32 shall file with the application a statement that shows
33 compliance with the workers' compensation insurance coverage
34 requirement of Minnesota Statutes, section 176.181, subdivision
35 2. The statement must be on a form prescribed by the
36 commissioner or on a form substantially the same as the

1 commissioner's prescribed form.

2 Subp. 5. Fees. The permit fee is \$150.

3 8880.0500 LIMOUSINE SERVICE PERMIT.

4 Subpart 1. Issuance of permit. The commissioner shall
5 issue a permit to an applicant who meets the requirements in
6 part 8880.0400, except the commissioner may not issue:

7 A. a permit to an applicant if the applicant or an
8 applicant's corporate directors or officers, general partners,
9 limited liability company board members, or owners of the
10 applicant's business had a permit revoked during the preceding
11 year;

12 B. more than one permit to a limousine operator.

13 A permit must be numbered and bear an effective date.

14 Subp. 2. Location of permit. A permit must be kept at the
15 limousine operator's principal place of business. A copy of the
16 permit must be kept in each limousine used by the limousine
17 operator to provide limousine service.

18 Subp. 3. Duration. A permit is valid until suspended or
19 revoked or the permit holder sells its limousine business. If
20 the permit holder is a corporation, a transfer of more than 50
21 percent of the corporation's outstanding stock, individually or
22 in aggregate, constitutes a sale of the business.

23 Subp. 4. Not transferable. A permit may not be assigned
24 or transferred to another person.

25 Subp. 5. Records. The commissioner shall keep a record of
26 permits showing the date issued, suspended, or revoked.

27 Subp. 6. Permit holder to keep information current. A
28 permit holder shall notify the commissioner in writing of any
29 change in the information provided in its permit application.

30 8880.0600 LIMOUSINE IDENTIFICATION DECAL APPLICATION; FEES.

31 Subpart 1. Forms. Application for a limousine
32 identification decal must be made on forms provided by the
33 commissioner. Application forms may be obtained from the
34 Minnesota Department of Transportation, Office of Motor Carrier
35 Services, Minnesota Administrative Truck Center, 100 Stockyards

1 Road, South Saint Paul, Minnesota 55075. Completed applications
2 must be returned to that office.

3 Subp. 2. Information required. Applicants for a limousine
4 identification decal shall give the following information to the
5 commissioner:

6 A. the applicant's name, including an assumed or
7 fictitious name used by the applicant in doing business;

8 B. the applicant's mailing address and business
9 telephone number;

10 C. the applicant's permit number;

11 D. the name, title, and telephone number of the
12 individual who is responsible for the day-to-day operation of
13 the limousine service;

14 E. the state and license plate number of vehicle
15 registration;

16 F. the vehicle identification number;

17 G. the vehicle year and make; and

18 H. a representation that the motor vehicle is a
19 luxury passenger automobile. If the applicant states that the
20 vehicle is the kind of luxury passenger automobile described in
21 part 8880.0100, subpart 12, item B, the commissioner may require
22 a copy of the manufacturer's promotional material before issuing
23 a limousine identification decal and the applicant must keep a
24 copy of the promotional material in the vehicle's record
25 described in part 8880.1000, subpart 4.

26 Subp. 3. Signature required. An application must be
27 signed only by a corporate officer, general partner, limited
28 liability company board member, or sole proprietor.

29 Subp. 4. Fees. The limousine identification decal fee is
30 \$80.

31 8880.0700 LIMOUSINE IDENTIFICATION DECAL.

32 Subpart 1. Issuance of decal. The commissioner shall
33 issue a limousine identification decal to an applicant who has a
34 valid permit, who has the insurance coverage required in part
35 8880.0300, subpart 3, and who meets the requirements in part

1 8880.0600.

2 Subp. 2. **Description.** A limousine identification decal
3 must bear an identifying number, the month and year of
4 expiration, and the letters "LM."

5 Subp. 3. **Display.** A limousine identification decal must
6 be securely affixed to the lower corner of the limousine
7 windshield on the passenger side of the vehicle. A decal must
8 not be obscured and must be easy to read when the vehicle is
9 stationary. A limousine may bear only one decal.

10 Subp. 4. **Duration.** A limousine identification decal is
11 valid for one year from the last day of the month in which it is
12 issued or until it is removed from the limousine or upon
13 revocation of the limousine operator's permit, whichever occurs
14 first.

15 Subp. 5. **Not transferable.** A limousine identification
16 decal may not be transferred to another limousine and must be
17 removed if a limousine operator stops using the limousine to
18 provide limousine service.

19 Subp. 6. **Records.** The commissioner shall keep a record of
20 limousine identification decals issued.

21 8880.0800 DRIVER QUALIFICATIONS.

22 Subpart 1. **General qualifications.** A driver must have a
23 valid driver's license and be at least 18 years old.

24 Subp. 2. **Physical qualification.** No driver may operate a
25 limousine providing limousine service unless the driver is
26 physically qualified to drive under Code of Federal Regulations,
27 title 49, section 391.41, paragraphs (a) and (b), which is
28 incorporated by reference.

29 Subp. 3. **Evidence of physical qualification.** Before
30 driving a limousine providing limousine service, a driver must
31 have a valid medical examiner's certificate under Code of
32 Federal Regulations, title 49, section 391.43, which is
33 incorporated by reference. A copy of the medical examiner's
34 certificate must be given to the limousine operator who employs
35 the driver. A limousine operator must keep a copy of the

1 certificate showing that a driver meets the requirements of
2 subpart 2.

3 Subp. 4. Waiver for physical defects. A person who is not
4 physically qualified to drive under Code of Federal Regulations,
5 title 49, section 391.41, paragraph (b)(1) or (b)(2), and who is
6 otherwise qualified to drive a motor vehicle, may drive a
7 limousine providing limousine service if the commissioner grants
8 a waiver to that person under parts 8850.7250 to 8850.7675. For
9 purposes of this subpart, the term "carrier," as used in parts
10 8850.7250 to 8850.7675, means a limousine operator. The
11 following do not apply to a driver who applies for a waiver:
12 parts 8850.7300, item B, subitems (2) and (3), and item D;
13 8850.7350, items E and F; 8850.7400, item A; and 8850.7600, item
14 E. A copy of the waiver must be given to the limousine operator
15 who employs the driver. The commissioner may revoke a waiver
16 only after the person to whom it was granted is given notice of
17 the proposed revocation and has been allowed an opportunity for
18 hearing under Minnesota Statutes, chapter 14. Falsifying
19 information in the waiver application, information in the
20 renewal application, or information required by a medical
21 evaluation, by either the applicant or limousine operator, is
22 prohibited.

23 Subp. 5. Driving record. A driver must, for the past
24 three years, have a driving record clear of:

25 A. a license cancellation under Minnesota Statutes,
26 section 171.14; a revocation under Minnesota Statutes, sections
27 171.17 and 169.123; and a suspension under Minnesota Statutes,
28 section 171.18;

29 B. a conviction for operating a motor vehicle without
30 insurance under Minnesota Statutes, section 169.797;

31 C. a conviction for driving a motor vehicle without a
32 valid license for the class of vehicle driven under Minnesota
33 Statutes, section 171.02;

34 D. a conviction for driving under the influence of
35 alcohol or a controlled substance under Minnesota Statutes,
36 section 169.121, or an ordinance that conforms to that section;

1 and

2 E. a conviction for alcohol-related driving by a
3 commercial vehicle driver under Minnesota Statutes, section
4 169.1211.

5 Subp. 6. **Criminal record.** A driver must have a criminal
6 record clear of any conviction:

7 A. as a habitual offender for driving under the
8 influence of alcohol or a controlled substance under Minnesota
9 Statutes, section 169.121, subdivision 3a, paragraph (a); and

10 B. of a crime or anticipatory crime against persons,
11 or a crime or anticipatory crime reasonably related to the
12 provision of limousine services. The following offenses are
13 crimes against persons or are reasonably related to the
14 provision of limousine services, or both, and are listed with
15 the section, subdivision, or chapter number showing where the
16 offense is found in Minnesota Statutes:

- 17 (1) attempts, 609.17;
- 18 (2) conspiracy, 609.175;
- 19 (3) murder in the first degree, 609.185;
- 20 (4) murder in the second degree, 609.19;
- 21 (5) murder in the third degree, 609.195;
- 22 (6) manslaughter in the first degree, 609.20;
- 23 (7) manslaughter in the second degree, 609.205;
- 24 (8) criminal vehicular homicide and injury,
25 609.21;
- 26 (9) assault in the first degree, 609.221;
- 27 (10) assault in the second degree, 609.222;
- 28 (11) assault in the third degree, 609.223;
- 29 (12) assault in the fourth degree, 609.2231;
- 30 (13) great bodily harm caused by distribution of
31 drugs, 609.228;
- 32 (14) use of drugs to injure or facilitate crime,
33 609.235;
- 34 (15) simple robbery, 609.24;
- 35 (16) aggravated robbery, 609.245;
- 36 (17) kidnapping, 609.25;

- 1 (18) false imprisonment, 609.255;
2 (19) abduction, 609.265;
3 (20) criminal sexual conduct in the first degree,
4 609.342;
5 (21) criminal sexual conduct in the second
6 degree, 609.343;
7 (22) criminal sexual conduct in the third degree,
8 609.344;
9 (23) criminal sexual conduct in the fourth
10 degree, 609.345;
11 (24) solicitation of children to engage in sexual
12 conduct, 609.352;
13 (25) fleeing a peace officer in a motor vehicle,
14 609.487;
15 (26) misusing credit card to secure services,
16 609.545;
17 (27) burglary, 609.582, subdivision 1; or
18 (28) prohibited drugs; felony convictions,
19 chapter 152.

20 Subp. 7. **Responsibility of limousine operator.** Before
21 using a driver to provide limousine service, a limousine
22 operator shall determine if the driver meets the standards in
23 this part. In determining whether a driver meets the standards
24 in subparts 5 and 6, a limousine operator shall conduct an
25 initial review of the driving and criminal record of a driver.
26 The review must be conducted annually after hiring. The initial
27 and annual review must include an examination of the records of
28 the Department of Public Safety, Division of Driver and Vehicle
29 Services, to determine if the driver meets the standards in
30 subpart 5. The initial and annual review also must include an
31 examination of the conviction records of the Minnesota Bureau of
32 Criminal Apprehension to determine if the driver has a criminal
33 record of conviction for a crime listed in subpart 6.

34 Subp. 8. **Evidence of compliance.** A limousine operator
35 shall keep a record showing compliance with subpart 7. The
36 record must meet the requirements of part 8880.1000, subpart 5,

1 item D.

2 Subp. 9. Unqualified driver prohibited. A limousine
3 operator may not use a driver to provide limousine service who
4 does not meet the standards in this part.

5 8880.0900 VEHICLE REQUIREMENTS.

6 Subpart 1. Operation. A limousine operator may not cause
7 or permit a limousine to be driven, and a driver may not drive a
8 limousine on the public highway, when its mechanical condition
9 is so imminently hazardous that it is likely to contribute to a
10 loss of control of the vehicle or cause an accident or
11 breakdown. The "North American Uniform Vehicle Out-of-Service
12 Criteria," adopted in Minnesota Statutes, section 221.031,
13 subdivision 9, must be followed in determining whether a
14 limousine's mechanical condition is so imminently hazardous that
15 it is likely to contribute to a loss of control of the limousine
16 or cause an accident or breakdown. A limousine providing
17 limousine service must be operated in compliance with the
18 provisions of Minnesota Statutes, chapter 169, governing the
19 operation of motor vehicles and with the rules or ordinances of
20 a political subdivision relating to routing, parking, speed, or
21 the safety of operation of a motor vehicle.

22 Subp. 2. Equipment standards. Limousines must comply with
23 the provisions of Minnesota Statutes, chapter 169, that apply to
24 passenger automobiles.

25 Subp. 3. Safety equipment. A limousine providing
26 limousine service must carry the following safety equipment:

27 A. a fire extinguisher that conforms to Code of
28 Federal Regulations, title 49, section 393.95, paragraph (a),
29 which is incorporated by reference;

30 B. a working cellular telephone or other means of
31 two-way communication; and

32 C. three bidirectional, emergency, reflective
33 triangles that conform to the requirements of federal motor
34 vehicle safety standard 125, found in Code of Federal
35 Regulations, title 49, section 571.125, which is incorporated by

1 reference.

2 Subp. 4. **Maintenance.** The mechanical components of a
3 limousine must be maintained according to the manufacturer's
4 recommended maintenance schedule. A limousine's windows,
5 lights, mirrors, and interior must be kept clean and in good
6 repair.

7 Subp. 5. **Inspections.** A limousine operator shall conduct,
8 or cause to be conducted, the following safety inspections:

9 A. for each day a limousine operator uses a
10 limousine, an inspection of the vehicle's:

- 11 (1) coolant level;
- 12 (2) lights, turn signals, and hazard flashers;
- 13 (3) tires;
- 14 (4) windshield wipers and washer fluid;
- 15 (5) inside and outside mirrors;
- 16 (6) fuel level;
- 17 (7) horn; and
- 18 (8) safety equipment; and

19 B. an annual inspection of a limousine's:

- 20 (1) brake system, including master cylinder,
21 shoes, linings, pads, drums or rotors, hoses, tubing, warning
22 devices, and the parking brake mechanism;
- 23 (2) exhaust system, including exhaust manifolds,
24 muffler, pipes, and catalytic converter;
- 25 (3) fuel system, including fuel pump or injector,
26 tank, hoses, and tubing;
- 27 (4) steering mechanism, including steering wheel
28 movement, steering column, front axle beam, gear box, power
29 assist cylinder, ball and socket joints, tie rods, and steering
30 arm;
- 31 (5) suspension, including springs, shock
32 absorbers, and torsion bars; and
- 33 (6) frame members.

34 Subp. 6. **Inspection records.** A limousine operator is not
35 required to maintain a record of daily inspections but must
36 maintain a record of annual inspections. The record must be

1 kept on a form prescribed by the commissioner or on a form
2 substantially the same as the commissioner's prescribed form and
3 must meet the requirements of part 8880.1000, subpart 4.

4 8880.1000 RECORDS.

5 Subpart 1. Records required; authority to inspect. A
6 limousine operator shall keep the records required in subparts 2
7 to 5. The records must be kept at the limousine operator's
8 principal place of business and must be available for inspection
9 and copying in Minnesota by the commissioner upon request.
10 Records must be kept for three years.

11 Subp. 2. Trip and fare records. A limousine operator
12 shall keep a record of each trip provided under a permit. For a
13 trip, the record must show:

- 14 A. the date;
- 15 B. the location of origin and destination;
- 16 C. the mileage;
- 17 D. the time it began and ended; and
- 18 E. the fare charged.

19 Subp. 3. Referral records. A limousine operator shall
20 keep a record of trip referrals when required by part 8880.0300,
21 subpart 7. For each trip referral, the record must show:

- 22 A. the date referred;
- 23 B. the date the trip was to be provided;
- 24 C. the name and permit number of the limousine
25 operator to whom the trip was referred; and
- 26 D. the name of the customer who requested the service.

27 Subp. 4. Vehicle records. A limousine operator shall keep
28 a separate file for a limousine used to provide limousine
29 service. The file must contain the year, make, and vehicle
30 identification number of a vehicle. The file also must contain
31 the inspection record required by part 8880.0900, subpart 6,
32 showing:

- 33 A. the date and mileage of an inspection;
- 34 B. a list of each component or item described in part
35 8880.0900, subpart 5, item B, and a notation of which components

1 or items were inspected; and

2 C. a notation of necessary maintenance, repair, or
3 replacement of vehicle parts and the date the maintenance,
4 repair, or replacement was completed.

5 Subp. 5. Driver records. A limousine operator shall keep
6 a separate file for each driver employed or used to provide
7 limousine service. The file must contain:

8 A. the name and birthdate of the driver;

9 B. the driver's license number;

10 C. a copy of the medical examiner's certificate
11 required in part 8880.0800, subpart 3, and a copy of a waiver
12 granted under part 8880.0800, subpart 4, if any; and

13 D. a statement signed by the person who conducted the
14 most recent review of the driver's driving and criminal records
15 as required by part 8880.0800, subpart 7. The statement must
16 show the name of the person who checked the records, the date
17 the records were checked, and whether the driver was found to
18 meet the standards of part 8880.0800, subparts 5 and 6. If the
19 driver was found not to meet the standards, the statement must
20 show the date the driver became disqualified and the reason for
21 the disqualification.

22 8880.1100 VEHICLE INSPECTION BY COMMISSIONER.

23 Subpart 1. Authority to inspect. The commissioner shall
24 annually inspect a limousine for which a limousine
25 identification decal has been issued to determine compliance
26 with part 8880.0900. The commissioner may inspect a limousine
27 to determine compliance with parts 8880.0300 to 8880.0900.

28 Subp. 2. Inspection report. A person inspecting a
29 limousine under this part shall provide a copy of the inspection
30 report to the limousine operator. The report must include:

31 A. the inspector's name;

32 B. the limousine operator's name and permit number;

33 C. the vehicle identification number, limousine
34 identification decal number, and license plate number;

35 D. the date and location of the inspection; and

1 E. a description of items that do not comply with the
2 requirements of parts 8880.0300 to 8880.0900.

3 Subp. 3. Limousines declared out of service. The
4 commissioner shall direct a limousine operator to immediately
5 remove a limousine from service on determining that its
6 mechanical condition is so imminently hazardous that it is
7 likely to contribute to a loss of control of the limousine or
8 cause an accident or breakdown. An out-of-service declaration
9 must be included in the inspection report described in subpart
10 2. Once a limousine has been declared out of service, a
11 limousine operator may return it to service only after making
12 the repairs noted in an out-of-service declaration.

13 8880.1200 ADMINISTRATIVE PENALTIES.

14 Subpart 1. Orders. The commissioner may issue an order
15 requiring violations of statutes, rules, and local ordinances
16 governing the operation of limousines to be corrected and
17 assessing monetary penalties up to \$1,000. An order must be
18 issued as provided in this part.

19 Subp. 2. Issuance, payment, enforcement. Minnesota
20 Statutes, section 221.036, subdivisions 2, 3, paragraph (c), 4
21 to 6, and 11, apply to orders issued under this part. The
22 commissioner shall mail an order by certified mail, return
23 receipt requested, to the last known address of the limousine
24 operator.

25 Subp. 3. Demand for hearing. Within 30 days after the
26 date on which an order was mailed, or within 20 days after
27 mailing notice of the commissioner's determination that a
28 violation has not been corrected or that appropriate steps have
29 not been taken, the person subject to an order under this part
30 may demand a hearing. Failure of a person to demand a hearing
31 within the time specified in this part constitutes a waiver of
32 the person's right to appear and contest an administrative
33 penalty order. A demand for hearing must be delivered or mailed
34 to the Minnesota Department of Transportation, Office of Motor
35 Carrier Services, Minnesota Administrative Truck Center, 100

1 Stockyards Road, South Saint Paul, Minnesota 55075, and must
2 include a statement of the issues the person intends to raise at
3 the hearing.

4 Subp. 4. **Hearing.** Within 30 days of receiving a demand
5 for hearing that meets the requirements of subpart 3, the
6 commissioner shall initiate a contested case proceeding under
7 Minnesota Statutes, chapter 14. If the administrative law judge
8 makes a finding that the hearing was demanded solely for
9 purposes of delay or that the hearing demand was frivolous, the
10 commissioner may add to the amount of the penalty the costs
11 charged to the commissioner by the Office of Administrative
12 Hearings for the hearing. If a hearing has been held and a
13 final order issued by the commissioner, the penalty must be paid
14 by the 15th day after the final order was mailed, together with
15 interest accruing at the rate established in Minnesota Statutes,
16 section 549.09, from 31 days after the original order was
17 received.

18 8880.1300 SUSPENSION OR REVOCATION OF PERMIT.

19 Subpart 1. **Indefinite suspension period.** The commissioner
20 shall immediately suspend a permit if the commissioner
21 determines that a limousine operator:

22 A. is not in compliance with the insurance
23 requirements in part 8880.0300, subpart 3;

24 B. willfully refused to permit an inspection under
25 part 8880.1000 or 8880.1100, subpart 1; or

26 C. did not pay, or make arrangements to pay, an
27 administrative penalty, including costs assessed by the
28 commissioner, when due under part 8880.1200.

29 A permit suspended under this subpart may not be restored
30 until the commissioner determines that a limousine operator has
31 complied with parts 8880.0300 to 8880.1200.

32 Subp. 2. ~~Definite-suspension-period.--Upon-request-of-a~~
33 ~~political-subdivision, the commissioner may immediately suspend~~
34 ~~a permit for 15 days for multiple violations of local ordinances.~~

35 Subp. 3. **Revocation.** The commissioner shall revoke a

1 permit if the commissioner determines that a limousine operator:

2 A. knowingly made a material false or misleading
3 statement in a permit application;

4 B. provided limousine service while the limousine
5 operator's permit was suspended; or

6 C. did not have a permit that was indefinitely
7 suspended under subpart 1 restored within 60 days of the date of
8 suspension or demand a hearing under subpart 5.

9 Subp. 4~~7~~ 3. Notice of suspension or revocation. The
10 commissioner shall mail notice of suspension or revocation of a
11 permit by certified mail, return receipt requested, to the last
12 known address of the limousine operator. The suspension or
13 revocation is effective five days after it is mailed by the
14 commissioner.

15 Subp. 5~~7~~ 4. Demand for hearing. A limousine operator
16 whose permit is suspended ~~under subpart 1 or 2~~, or revoked under
17 ~~subpart 3~~, may within 20 days after the notice of suspension or
18 revocation was mailed, demand a hearing. Failure of a person to
19 respond to a notice of suspension or revocation by demanding a
20 hearing within 20 days after the date on which the notice was
21 mailed constitutes a waiver of the person's right to appear and
22 contest the suspension or revocation. A demand for hearing must
23 be delivered or mailed to the Minnesota Department of
24 Transportation, Office of Motor Carrier Services, Minnesota
25 Administrative Truck Center, 100 Stockyards Road, South Saint
26 Paul, Minnesota 55075, and must include a statement of the
27 issues the limousine operator intends to raise at the
28 hearing. A demand for hearing stays the effective date of a
29 suspension under subpart 1, item B, or a revocation under
30 subpart 2, item A.

31 Subp. 6~~7~~ 5. Hearing. Within 30 days of receiving a demand
32 for hearing that meets the requirements of subpart 5, the
33 commissioner shall initiate a contested case proceeding under
34 Minnesota Statutes, chapter 14. If the administrative law judge
35 makes a finding that the hearing was demanded solely for
36 purposes of delay or that the demand for hearing was frivolous,

1 the commissioner may assess the costs charged to the
2 commissioner by the office of administrative hearings for the
3 hearing to the limousine operator. Costs assessed by the
4 commissioner must be collected in the manner that administrative
5 penalties are collected under part 8880.1200.

6 Subp. 7- 6. Revocation final. A revoked permit may not be
7 reinstated. The holder of a revoked permit may not apply for a
8 new permit for one year from the effective date of revocation.

9 8880.1400 COOPERATIVE AGREEMENTS.

10 The commissioner may enter into cooperative agreements with
11 political subdivisions. A cooperative agreement must include
12 provisions for enforcing and implementing parts 8880.0100 to
13 8880.1300 and for sharing enforcement costs between the
14 department and a political subdivision. A cooperative agreement
15 also must include provisions for exchanging information and for
16 jointly inspecting or investigating limousine operators,
17 drivers, limousines, and records required by this chapter.