

1 Department of Public Safety

2

3 Proposed Rules Relating to Deputy Registrars

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5 Rules as Proposed

6 7406.0100 DEFINITIONS.

7 Subpart 1. and 2. [Unchanged.]

8 Subp. 3. Application for registration. "Application for  
9 registration" has the meaning given "application for  
10 registration" in Minnesota Statutes, section 168.0117  
11 subdivision 2, and includes a reapplication transaction received  
12 by a deputy registrar in conjunction with registering,  
13 reregistering, transferring, or titling vehicles and does not  
14 include requests for refunds, the surrender of certificates of  
15 title on junked vehicles, or those transactions listed in part  
16 7406.0500, subpart 5, item B.

17 Subp. 4. [Unchanged.]

18 Subp. 5. Metropolitan county. "Metropolitan county" has  
19 the meaning given it in Minnesota Statutes, section 473.121,  
20 subdivision 4.

21 Subp. 6. Municipality. "Municipality" includes a  
22 statutory city, home rule charter city, and town.

23 7406.0300 CRITERIA FOR ESTABLISHING NEW OFFICE OR APPOINTING  
24 NEW DEPUTY REGISTRAR APPOINTMENT.

25 Subpart 1. Within metropolitan area and in cities of over  
26 50,000 population Hennepin and Ramsey counties. The following  
27 conditions must be met before a new deputy registrar office is  
28 approved or a new deputy registrar is appointed in Ramsey or  
29 Hennepin county:

30 A. The estimated number of applications for  
31 registration that a new deputy registrar office will process  
32 annually must be at least ~~20,000~~ 35,000. The number of  
33 applications for registration will be estimated as follows:  
34 ~~40~~ 30 percent of the applications for registration processed  
35 within the preceding year by existing deputy registrar offices

1 located within a four-mile radius of the proposed new office or  
2 25-percent-of-the-applications-processed-within-the-preceding  
3 year-by-existing-deputy-registrars-within-six of over five miles  
4 and less than 9-1/2 miles of-the-proposed-new-office,-whichever  
5 is-the-larger.

6 If a percentage of applications for registration submitted  
7 to an existing deputy registrar office is used to establish a  
8 new deputy registrar office, that percentage may not be used  
9 again to establish another office within a two-year period.

10 If the use of a percentage of applications for registration  
11 submitted to an existing deputy registrar office, to establish a  
12 new deputy registrar office, would reduce the number of  
13 applications to below 35,000 for the existing office, the  
14 proposed new deputy registrar office may not be established.

15 An application for appointment as a deputy registrar may  
16 not be considered within a two-year period following the  
17 establishment of a new deputy registrar office if the  
18 applicant's office is proposed to be located within ten miles of  
19 the newly established office.

20 B. The proposed new office must not be located within  
21 three-miles a five-mile radius of an existing deputy registrar  
22 office.

23 C. In addition, the five-mile radius of the proposed  
24 new deputy registrar office must not overlap into a five-mile  
25 radius of an existing deputy registrar office.

26 Subp. 1a. Other metropolitan counties; municipalities with  
27 over 50,000 population. The following conditions must be met  
28 before a new deputy registrar office is approved or a new deputy  
29 registrar is appointed in a metropolitan county, not including  
30 Hennepin and Ramsey counties, or in a municipality with a  
31 population exceeding 50,000, not including municipalities in  
32 Hennepin and Ramsey counties:

33 A. The estimated number of applications for  
34 registration that a new deputy registrar office will process  
35 annually must be at least 20,000. The number of applications  
36 for registration will be estimated as the largest number

1 computed in subitem (1), (2), or (3):

2 (1) 30 percent of the applications for registration  
3 processed within the preceding year by existing deputy registrar  
4 offices located within a radius of the proposed new office of  
5 over five miles but less than 6-1/2 miles;

6 (2) 20 percent of the applications for registration  
7 processed within the preceding year by existing deputy registrar  
8 offices located within a radius of the proposed new office of at  
9 least 6-1/2 miles but less than eight miles; or

10 (3) ten percent of the applications for registration  
11 processed within the preceding year by existing deputy registrar  
12 offices located within a radius of the proposed new office of at  
13 least eight miles but less than 9-1/2 miles.

14 If a percentage of applications for registration submitted  
15 to an existing deputy registrar office is used to establish a  
16 new deputy registrar office, that percentage may not be used  
17 again to establish another office within a two-year period.

18 If the use of a percentage of applications for registration  
19 submitted to an existing deputy registrar office, to establish a  
20 new deputy registrar office, would reduce the number of  
21 applications to below 20,000 for the existing office, the  
22 proposed new deputy registrar office may not be established.

23 An application for appointment as a deputy registrar may  
24 not be considered within a two-year period following the  
25 establishment of a new deputy registrar office if the  
26 applicant's office is proposed to be located within ten miles of  
27 the newly established office.

28 B. The proposed new office must not be located within  
29 a five-mile radius of an existing deputy registrar office.

30 C. In addition, the five-mile radius of the proposed  
31 new deputy registrar office must not overlap into a five-mile  
32 radius of an existing deputy registrar office in Minnesota.

33 Subp. 2. Other areas. In all other cities municipalities  
34 not included in subpart 1 or 1a, the following conditions must  
35 be met before a new deputy registrar office is approved:

36 A. The estimated number of applications for

1 registration that a new deputy registrar office will process  
2 annually must be at least 4,000. The number of applications for  
3 registration will be estimated as follows: 20 percent of the  
4 applications for registration processed within the preceding  
5 year by existing deputy registrar offices located within 20  
6 miles of the proposed new office, or, if there is no existing  
7 deputy registrar office located within 20 miles of the proposed  
8 new office, the total number of new car sales, multiplied by  
9 four, made by all new car dealers within 25 miles of the  
10 proposed new office as determined by a survey taken by the  
11 registrar, plus one-half the population of all towns and  
12 cities the municipalities that are closer to the new proposed  
13 office than to any an existing deputy registrar office.

14 B. The proposed new office must not be located  
15 within ~~±5-miles~~ a 15-mile radius of or 25 minutes driving time  
16 of from an existing deputy registrar office, except in cities  
17 municipalities having a population of 25,000 to 50,000. In  
18 addition, the 15-mile radius of the proposed new deputy  
19 registrar office must not overlap into a 15-mile radius of an  
20 existing deputy registrar office in Minnesota.

21 C. The proposed new office must not be located  
22 in a city municipality of less than 25,000 population if there  
23 is an existing deputy registrar office in that city municipality.

24 D. The proposed new office must not be located  
25 in a city municipality having a population of 25,000 to 50,000  
26 unless there are less than two existing deputy registrar offices  
27 in that city municipality.

28 7406.0500 GENERAL OPERATING RULES FOR DEPUTY REGISTRARS.

29 Subpart 1. Sole operator. A deputy registrar must manage  
30 the office in accordance with the following:

31 A. and B. [Unchanged.]

32 C. If a corporation is a deputy registrar under  
33 Minnesota Statutes, section 168.33, subdivision 2, the  
34 individual signing for the corporation as deputy registrar must  
35 be an officer of the corporation. This individual is

1 responsible for the duties of the corporation as a deputy  
2 registrar.

3 Subp. 2. to 5. [Unchanged.]

4 7406.0700 EXEMPTION.

5 Notwithstanding part 7406.0300, a new deputy registrar may  
6 be appointed for an existing location upon the death,  
7 resignation, or retirement of an existing deputy registrar whose  
8 office does not comply with the requirements for distance or  
9 number of applications for registration processed. If, within  
10 three months, a new deputy registrar appointment is not accepted  
11 by the person to be appointed or if the office is not  
12 established by the appropriate local government, then part  
13 7406.0300 applies.

## OFFICE OF THE REVISOR OF STATUTES

## Proposed Rule

RD879

Agency: Department of Public Safety

Division: Driver and Vehicle Services

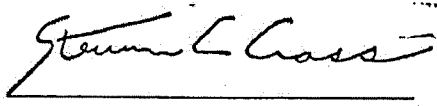
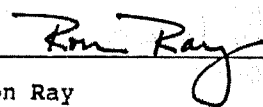
Agency Contact: Nancy Kelly

Minnesota Rules: Parts 7406.0100; 7406.0300; 7406.0500;  
and 7406.0700

Title: Proposed Rules Relating to Deputy Registrars

Type of Rules: Permanent

Incorporations by Reference: None

  
\_\_\_\_\_  
Steven C. Cross  
Revisor of Statutes  
\_\_\_\_\_  
Ron Ray  
Assistant Revisor  
Phone: 296-0945  
Date: January 13, 1986