

(4) by January 1, 2003, the permittee incurs costs of developing the nature preserve and associated facilities that, when discounted to 1992 dollars, exceed twice the projected cost, as determined by the commissioner, of the conversion required in paragraph (b), discounted to 1992 dollars.

The costs incurred under clause (4) may include preparation of plans and designs; site preparation; construction of wildlife habitat structures; planting of trees and other vegetation; installation of signs and markers; design and construction of trails, docks, and access structures; and design and construction of interpretative facilities. The permittee shall submit an estimate of the cost of the conversion required in paragraph (b) to the commissioner by January 1, 1993, and shall annually report to the commissioner on the progress of the project and the level of expenditures.

Presented to the governor March 19, 1992

Became law without the governor's signature March 23, 1992

CHAPTER 367—H.F.No. 917

An act relating to commerce; requiring additional license for motor vehicle lessor, wholesaler, or auctioneer when establishing additional place of doing business in a second class city outside of the metropolitan area; amending Minnesota Statutes 1990, section 168.27, subdivision 10.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1990, section 168.27, subdivision 10, is amended to read:

Subd. 10. **ESTABLISHED PLACE OF BUSINESS.** All licensees under this section shall have an established place of business which shall include as a minimum:

(1) For a new motor vehicle dealer, the following:

(a) a commercial building owned or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain office space where the books, records, and files necessary to conduct the business are kept and maintained with personnel available during normal business hours. Dealership business hours must be conspicuously posted on the place of doing business and readily viewable by the public;

(b) a bona fide contract or franchise (1) in effect with a manufacturer or distributor of the new motor vehicles the dealer proposes to sell, broker, wholesale, or auction, or (2) in effect with the first-stage manufacturer or distributor of new motor vehicles purchased from a van converter or modifier which the dealer

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proposes to sell, broker, wholesale, or auction, or (3) in effect with the final stage manufacturer of the new type A, B, or C motor homes which the dealer proposes to sell, broker, wholesale, or auction;

(c) a facility for the repair and servicing of motor vehicles and the storage of parts and accessories, not to exceed ten miles distance from the principal place of business. Such service may be provided through contract with bona fide operators actually engaged in such services;

(d) an area either indoors or outdoors to display motor vehicles which is owned or under lease by the licensee; and

(e) a sign clearly identifying the dealership by name which is readily viewable by the public.

(2) For a used motor vehicle dealer, the following:

(a) a commercial building owned or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain office space where the books, records, and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or automatic telephone answering service during normal business hours. Dealership business hours must be conspicuously posted on the place of doing business and readily viewable by the public;

(b) an area either indoors or outdoors to display motor vehicles which is owned or under lease by the licensee; and

(c) a sign clearly identifying the dealership by name which is readily viewable by the public.

(3) For a motor vehicle lessor, the following: a commercial office space where the books, records, and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours. Business hours must be conspicuously posted on the place of doing business and readily viewable by the public. The office space must be owned or under lease for a minimum term of one year by the licensee.

(4) For a motor vehicle wholesaler, the following: a commercial office space where the books, records, and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours. The office space must be owned or under lease for a minimum term of one year by the licensee.

(5) For a motor vehicle auctioneer, the following: a permanent enclosed commercial building, within or without the state, on a permanent foundation, owned or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain office space where the books, records, and

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files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours.

(6) If a new or used motor vehicle dealer maintains more than one place of doing business in a county, the separate places shall be listed on the application. If additional places of business are maintained outside of one county, separate licenses shall be obtained for each county.

(7) If a motor vehicle lessor, wholesaler, or auctioneer maintains more than one permanent place of doing business, either in one or more counties, the separate places shall be listed in the application, but only one license shall be required. If a lessor proposes to sell previously leased or rented vehicles at a location outside the seven-county metropolitan area, as defined in section 473.121, subdivision 2, other than cities of the first or ~~second~~ class, the lessor must obtain a license for each nonmetropolitan area county in which sales are to take place.

(8) If a motor vehicle dealer, lessor, or wholesaler does not have direct access to a public road or street, any privately owned roadway providing access to a public road or street must be clearly identified and adequately maintained.

Presented to the governor March 19, 1992

Signed by the governor March 20, 1992, 4:20 p.m.

CHAPTER 368—H.F.No. 2259

An act relating to retirement; setting an earlier accrual date for a certain retired member of the state retirement system.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. REVISED RETIREMENT ACCRUAL DATE IN CERTAIN INSTANCES.

Notwithstanding any provision of Minnesota Statutes, section 352.115, subdivision 8, to the contrary, a person who terminated employment with the state department of transportation on July 8, 1991, who applied for a retirement annuity on October 8, 1991, and who retired effective August 9, 1991, is entitled to have the person's retirement annuity accrue as of July 1, 1991.

Any additional benefit amount payable by virtue of this change in benefit accrual date must be paid as soon as practicable following the effective date of this section, plus interest at the rate of seven-tenths of one percent per month.

Sec. 2. EFFECTIVE DATE.

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