

CHAPTER 6700
BOARD OF PEACE OFFICER STANDARDS AND
TRAINING
TRAINING AND LICENSING

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6700.0100 DEFINITIONS.

[For text of subps 1 to 4, see M.R.]

Subp. 5. [Repealed, 14 SR 12]

Subp. 5a. **Professional peace officer education.** "Professional peace officer education" means:

A. a postsecondary degree that includes instruction as specified in part 6700.0300, subpart 1; or

B. a postsecondary certificate that includes instruction as specified in part 6700.0300, subpart 1, and is awarded by a certified school to individuals who already possess a postsecondary degree.

[For text of subp 6, see M.R.]

Subp. 7. **Certification.** "Certification" means official acknowledgment by the board that a school meets all of the criteria listed in parts 6700.0300 and 6700.0400 to offer professional peace officer education or the academic component or clinical skills component of the professional peace officer education.

[For text of subp 8, see M.R.]

Subp. 9. [Repealed, 14 SR 12]

Subp. 10. **Coordinator.** "Coordinator" means a person who is employed full-time by a certified school, and designated by a certified school, to manage the day-to-day activities of the professional peace officer education program or the academic component or clinical skills component of the professional peace officer education program.

Subp. 11. **Eligible to be licensed.** "Eligible to be licensed" means the status of an individual who has passed the peace officer licensing examination or the reciprocity examination, but who has not yet secured employment as a law enforcement officer.

[For text of subps 12 to 17, see M.R.]

Subp. 18. **Part-time peace officer.** "Part-time peace officer" has the meaning given it in Minnesota Statutes, section 626.84, subdivision 1, clause (f).

Subp. 19. **Peace officer.** "Peace officer" has the meaning given it in Minnesota Statutes, section 626.84, subdivision 1, clause (c).

Subp. 20. **School.** "School" means a postsecondary institution which is accredited by one of the six regional accrediting associations and authorized to

award academic degrees including, but not limited to, Associate of Arts (A.A.) degrees, Associate of Science (A.S.) degrees, Bachelor of Arts (B.A.) degrees, and Bachelor of Science (B.S.) degrees.

[For text of subp 21, see M.R.]

Subp. 22. Postsecondary degree. "Postsecondary degree" means an academic degree awarded by a school.

Subp. 23. Postsecondary certificate. "Postsecondary certificate" means a non-academic title awarded by a school that shows completion of a specific course of study.

Subp. 24. Certified school. "Certified school" means a school that has been given certification.

Subp. 25. Classroom discrimination. Effective July 1, 1989, "classroom discrimination" means an act or comment of prejudice by a faculty member, staff person, or student which relates to race, gender, creed, age, color, religion, national origin, marital status, physical disability, mental disability, or characteristics identified as sexual orientation, and that offends another.

Statutory Authority: *MS s 626.843 subd 1; 626.845 subd 1*

History: *14 SR 12*

6700.0300 PROFESSIONAL PEACE OFFICER EDUCATION.

Subpart 1. Subject areas. The professional peace officer education must minimally include the following subject areas.

A. The academic education component includes instruction in administration of justice, Minnesota Statutes, criminal law, human behavior, juvenile justice, law enforcement operations and procedures, and first aid.

B. The clinical skills education component includes instruction in techniques of criminal investigation and testifying, patrol functions, traffic law enforcement, firearms, defensive tactics, emergency vehicle driving, and criminal justice information systems.

Subp. 2. Waiver. Participation or continued instruction in a particular subject area in subpart 1 may be waived by the coordinator upon satisfactory evidence of approved equivalent training.

Subp. 3. Minimum requirements. All certified schools shall comply with the minimum requirements in subpart 1, item A or B or both and shall furnish reasonable and necessary proof to the board to verify that the provisions of subpart 1 are being met. Nothing in parts 6700.0100 to 6700.1900 precludes any certified school from enacting rules which establish standards of training above the minimum requirements in subpart 1.

Subp. 4. Learning objectives. Periodically the board may issue specific learning objectives applicable to the content of the professional peace officer education as outlined in subpart 1.

Subp. 5. Participation requirement in clinical skills.

A. All students shall be capable of safely participating in the clinical skills component of the professional peace officer education program. Any student unable to safely participate in all aspects of the clinical skills component for medical or psychological reasons shall be denied admission or continued participation by the certified school.

B. If a student is denied admission or participation in the clinical skills component of the professional peace officer education program because of any of the requirements in subpart 5, item A, the certified school shall inform the student of the denial and its reasons for the denial. The certified school shall also afford the student a formal appeal process. That appeal process must be reduced to writing and provided to each student who is denied admission or participation

in the clinical skills component because of any of the requirements in subpart 5, item A.

Subp. 6. Coordinator's duties. The coordinator's duties include the following:

A. The coordinator shall be responsible for maintaining and making available to the board and executive director pertinent information on all classes conducted in the certified school. The coordinator shall notify the executive director of students who have successfully completed the professional peace officer education. Additionally, the coordinator shall certify to the board that these students have successfully completed a sequence of courses which includes material covering the applicable learning objectives promulgated by the board.

B. The coordinator shall file with the board a semiannual affirmative action plan and such other relevant information as the board may require. The affirmative action plan must describe objectives for the recruitment and retention of minority students and women in the law enforcement program. "Minority student" means a Black, Hispanic, Asian or Pacific Islander, American Indian, or Alaskan native person. Relevant information may include lesson plans and course outlines.

C. When a coordinator leaves a certified school, the chief executive officer of the certified school must notify the board no later than 20 days after the coordinator has left the position, and provide the board with the name of the new coordinator. The signature facsimile of the new coordinator must accompany this notification. Any person appointed as a coordinator after January 1, 1990, must have a bachelor's degree in law enforcement, criminal justice, education, social or behavioral science, or related field and at least three years of experience with a criminal justice agency.

Subp. 7. Instructor requirements. All instructors who teach law enforcement courses in a certified school shall possess a postsecondary degree, or have professionally recognized training and experience to teach the assigned subject matter. This part shall not preclude the use of guest lecturers.

Statutory Authority: *MS s 626.843 subd 1; 626.845 subd 1*

History: *14 SR 12*

6700.0400 CERTIFICATION OF SCHOOLS.

Subpart 1. Application. Upon filing a proper application, a school desiring certification shall be reviewed by the board. The board will not consider certification unless the school has shown a documented need for its program. The school must also file with the board satisfactory proof that the school will offer courses meeting the prescribed learning objectives, has reasonable training equipment and facilities including library, and has qualified instructors.

Subp. 2. Provisional certification. Upon review of an application, properly filed by a school, and having determined that the school has met the requirements in subpart 1, the board shall grant provisional certification until such time as an on-site evaluation and inspection has been completed.

Subp. 3. Certification. The board's duties with respect to certification include the following:

A. Not later than one year from the granting of provisional certification, the board shall grant or deny certification. Certification shall remain contingent upon periodic review by the board or by the executive director in addition to the requirements for a renewal application every five years as provided by item C.

B. Before a certified school offers any course from the professional peace officer education program at another school's campus not included in its original application, the certified school must seek written approval from the board. The board shall consider those criteria in subpart 1 in determining whether the proposal will be approved. This part applies retroactively and certified schools presently shall have 90 days from July 11, 1989, to seek approval from the board.

C. By May 1, 1990, and every five years after that, the board must send a renewal application form to all certified schools. This application form must request information regarding the criteria contained in subpart 1. The coordinator must file the completed application with the board by November 1 of the year the application form was received. Upon review of the properly filed application form, the board shall renew the school's certification for another five years, if the board finds that the requirements of subpart 1 have been met. If a certified school does not comply with the requirements of this subpart, the school's certification will be deemed to have expired and the school will be required to reapply for certification under the procedures in subparts 1 and 2.

Subp. 4. Certified school disciplinary action. Failure of a certified school to comply with any of the following requirements will result in imposition of disciplinary sanctions by the board against the certified school:

A. provision of instruction consistent with the published learning objectives in the subject areas for which the school was certified pursuant to part 6700.0300, subpart 1;

B. filing with the board all information which the board requires;

C. cooperation of the staff and faculty of a certified school with any board investigation relative to its certification status;

D. cooperation of the staff and faculty of a certified school with any board investigation of alleged misconduct by students, staff, or faculty in the giving or taking of examinations, reports, or investigations required by the board. The staff and faculty shall report any misconduct which is discovered to the board. For purposes of this requirement, the term "misconduct" includes cheating on any licensing examination or tests required by the rules of the board, or helping another to cheat; filing a false report with the board; or obstructing a board investigation; and

E. failure to comply with parts 6700.0300 to 6700.0500.

Subp. 5. Sanctions. Sanctions for failure to comply with the requirements in subpart 4 shall be one or more of the following: a letter of censure to the coordinator of the certified school; formal or informal probation for the certified school; or suspension, revocation, or nonrenewal of certification of the certified school.

Subp. 6. Disciplinary proceedings. Disciplinary proceedings under this part shall be conducted pursuant to the Administrative Procedure Act, Minnesota Statutes, chapter 14, and the rules of the Office of Administrative Hearings, parts 1400.5100 to 1400.8400.

Statutory Authority: *MS s 626.843 subd 1; 626.845 subd 1*

History: *14 SR 12*

6700.0401 CLASSROOM DISCRIMINATION; PROCEDURES.

Subpart 1. Procedures. Every certified school must establish written procedures for the investigation and resolution of allegations of classroom discrimination. These procedures must minimally specify:

A. the person to whom the formal complaint must be made;

B. the process by which complaints will be investigated;

C. the sanctions that may be imposed if a complaint is sustained;

D. the appeal process for the offending party;

E. the process that will be used to notify the complainant of the investigation and disposition; and

F. the effective date of the procedures or subsequent modifications of procedures.

Subp. 2. Summary. The coordinator must provide all new students who are in courses taught as a part of the professional peace officer education program a summary of the written procedures required under subpart 1. The coordinator

must provide all faculty and staff members who participate in courses as a part of the professional peace officer education program a copy of the written procedures required under subpart 1. Also, the coordinator must make the procedures required under subpart 1 available to anyone else upon request.

Subp. 3. Complaints. Complaints which allege classroom discrimination at a certified school must be processed according to the written procedures adopted by the certified school required in subpart 1.

Statutory Authority: *MS s 626.843 subd 1; 626.845 subd 1*

History: *14 SR 12*

6700.0500 PEACE OFFICER LICENSING EXAMINATION.

Subpart 1. [Repealed, 14 SR 12]

Subp. 2. [Repealed, 14 SR 12]

Subp. 3. Eligibility for examination. Students who successfully complete professional peace officer education which meets the minimum requirements in part 6700.0300, subpart 1, items A and B are eligible to take the peace officer licensing examination.

[For text of subp 4, see M.R.]

Subp. 5. Reinstatement of eligibility. Upon successful completion of the peace officer licensing examination, a person is eligible to be licensed for three years. If the person is not licensed after three years, the person may reinstate eligibility by passing the appropriate licensing examination. The executive director shall determine what examination is appropriate based on the substantive changes in law and police practices. If the person is not licensed after a second three years, that person must have a coordinator from a professional peace officer education program determine any additional coursework the person must complete in order for the person's professional peace officer education to be considered current. After successful completion of the coursework, the person is eligible to take the peace office licensing examination. Upon successful completion of the examination the person is eligible to be licensed for three years.

Statutory Authority: *MS s 626.843 subd 1; 626.845 subd 1*

History: *14 SR 12*

6700.0501 RECIPROCITY LICENSING EXAMINATION.

[For text of subps 1 to 4, see M.R.]

Subp. 5. Postsecondary degree. "Postsecondary degree" means an academic title awarded by a postsecondary institution which is accredited by a member of one of the six regional accrediting associations and authorized to award degrees including, but not limited to, Associate of Arts (A.A.) degrees, Associate of Science (A.S.) degrees, Bachelor of Arts (B.A.) degrees, and Bachelor of Science (B.S.) degrees.

[For text of subps 6 to 8, see M.R.]

Subp. 9. License eligibility. Upon successful completion of the reciprocity examination, a person is eligible for a peace officer license. If the person is not licensed after three years, the person may reinstate eligibility by again demonstrating qualifications for the examination pursuant to subpart 7 and must again comply with the provisions of part 6700.0600.

[For text of subp 10, see M.R.]

Statutory Authority: *MS s 626.843 subd 1; 626.845 subd 1*

History: *14 SR 12*

6700.0600 LICENSING EXAMINATIONS.

Subpart 1. Application. Licensing examinations will be offered at least four times each year. The board shall establish the examination schedules. An applicant for any of the licensing examinations shall submit a written application on a form provided by the board before the date of the examination. An application shall be accompanied by the appropriate nonrefundable fee under subpart 2.

Subp. 2. Nonrefundable fee. A nonrefundable fee shall be paid to the board before taking the following licensing examinations:

- A. peace officer licensing examination, \$40;
- B. reciprocity examination, \$40;
- C. peace officer license endorsement examination, \$12.50; and
- D. part-time peace officer licensing examination, \$12.50.

[For text of subps 3 and 4, see M.R.]

Subp. 5. Reinstate eligibility. The eligibility for a person to take the examination in subpart 2 shall be void one year after qualifying for the examination. In order to reinstate eligibility, the person shall comply with subparts 1 and 2.

Statutory Authority: *MS s 626.843 subd 1; 626.845 subd 1*

History: *14 SR 12*

6700.0700 MINIMUM SELECTION STANDARDS.

Subpart 1. Selection standards. A person eligible to be licensed shall meet the following minimum selection standards before being appointed to the position of peace officer. The appointing authority may certify that the applicant has already completed certain of these standards, but certification must be documented pursuant to subpart 2.

[For text of subpart 1, items A to J, see M.R.]

Subp. 2. Documentation. The chief law enforcement officer shall maintain documentation necessary to show completion of subpart 1. The chief law enforcement officer is not required to obtain documentation for subpart 1, item I, if the applicant completed part 6700.0500, subpart 1. The documentation is subject to periodic review by the board, and shall be made available to the board at its request.

Subp. 3. Requirements. An appointing authority may require a peace officer to meet some or all of the foregoing standards before appointment.

[For text of subp 4, see M.R.]

Statutory Authority: *MS s 626.843 subd 1; 626.845 subd 1*

History: *14 SR 12*

6700.0900 CONTINUING EDUCATION.

[For text of subps 1 and 2, see M.R.]

Subp. 3. Criteria for course approval. For the purpose of this part, "course sponsor" means any agency, organization, or person who provides continuing education courses and seeks board approval of these courses.

A. Before being eligible to receive board approval, the course sponsor shall make application for course approval. Application for approval must be submitted on forms provided by the board and must be received 30 days before commencement of the continuing education course.

[For text of subp 3, item B, see M.R.]

C. No approval will be granted unless the course sponsor files all relevant

information required by the board at least ten days before commencement of the proposed course. A ten-day extension may be granted by the executive director upon receipt of documentation showing a compelling reason for the extension.

[For text of subp 3, items D to I, see M.R.]

Subp. 4. Mandatory courses. The board may mandate specific courses and required minimum hours in selected subject areas to ensure continued protection of the public interest. Nothing contained in this part shall be construed as limiting an agency from requiring or furnishing more than the number of hours of continuing education required by the board.

[For text of subps 5 to 11, see M.R.]

Subp. 12. Endorsements. The board may issue endorsements to peace officer licenses. Endorsements shall acknowledge the acquisition of the knowledge, skills, and abilities needed to perform specialized law enforcement functions.

Courses which lead to license endorsement shall meet the learning objectives specified by the board for endorsement. Approval of license endorsement courses shall be according to subpart 3.

Endorsement shall be awarded only after a peace officer successfully completes both the prescribed endorsement course and the appropriate peace officer license endorsement examination administered by the board.

The board may accredit a course sponsor to offer an endorsement course for a specified period of time without further documentation.

Subp. 13. Procedures. Every course sponsor must establish written procedures for the investigation and resolution of allegations of classroom discrimination. These procedures must minimally specify:

- A. the person to whom the formal complaint must be made;
- B. the process by which complaints will be investigated;
- C. the sanctions which may be imposed if a complaint is sustained;
- D. the appeal process for the offending party;
- E. the process which will be used to notify the complainant of the investigation and disposition; and
- F. the effective date of the procedures or subsequent modifications of the procedures.

Subp. 14. Copy of procedures. The course sponsor must make the procedures required in subpart 13 available to anyone who requests a copy. Also, the course sponsor must make available to all of its faculty members and staff persons a copy of the written procedures required in subpart 13.

Subp. 15. Disciplinary action. The board may take disciplinary action against a course sponsor:

- A. who violates the provisions of part 6700.0900;
- B. who files with the board a false application form or course roster;
- C. who provides instruction which is not consistent with the application form;
- D. who fails to cooperate with the board's investigation into an allegation of a violation of this part; and
- E. whose administrative staff or faculty fails to cooperate with the board's investigation into an allegation of a violation of this part.

Subp. 16. Sanctions. Disciplinary action for violation of subpart 15 consists of one or more of the following: a letter of censure to the course sponsor, formal or informal probation of the course sponsor, or denial of approval of other courses for a specified period of time.

Subp. 17. Procedure requirements. Disciplinary procedures under this part

must be conducted under the Administrative Procedure Act, Minnesota Statutes, chapter 14, and the rules of the Office of Administrative Hearings, parts 1400.5100 to 1400.8500.

Statutory Authority: *MS s 626.843 subd 1; 626.845 subd 1*

History: *14 SR 12*

6700.0902 ACCREDITATION.

[For text of subps 1 to 5, see M.R.]

Subp. 6. Rosters. On a form supplied by the board, the continuing education coordinator shall submit a list of the names of the peace officers who complete each course, each peace officer license number, and the number of continuing education hours which are to be credited to each peace officer. This form must be submitted no later than ten days after the class is completed.

Subp. 7. Course notices. The continuing education coordinator shall publish the following statement in all written notices which advertise a continuing education sponsor's course:

"Peace officers who successfully complete this course will receive (maximum number of continuing education hours) hours of peace officer continuing education credit."

Subp. 8. Documentation. The continuing education coordinator shall maintain copies of the documents received in part 6700.0900, subpart 3, item C, for five years. Copies of this documentation shall be made available to the board within five working days of the board's request for it. If compliance is not possible within that time, the continuing education coordinator shall inform the board within five working days of the board's initial request and shall have an additional five working days to comply with the request.

Subp. 9. Course statements. The continuing education coordinator or a designee of the coordinator shall read the following statement at the beginning of each class:

"The (name of the continuing education sponsor) is a continuing education sponsor as approved by the Board of Peace Officer Standards and Training. Peace officers who successfully complete this course (name of the course) will receive (total number of hours) hours of continuing education. A course roster will be mailed to the POST Board no later than ten days after this course is completed. The roster will list the names, license numbers, and continuing education hours for those who successfully complete the course. Any questions about this course can be directed to (the name of the continuing education coordinator)."

[For text of subps 10 and 11, see M.R.]

Subp. 12. Procedures. A continuing education sponsor must establish written procedures for the investigation and resolution of allegations of classroom discrimination. The procedures must minimally specify:

- A. the person to whom the complaint must be made;
- B. the process by which complaints will be investigated;
- C. the sanctions which may be imposed if a complaint is sustained;
- D. the appeal process for the offending party;
- E. the process which will be used to notify the complainant of the investigation and disposition; and
- F. the effective date of the procedures or subsequent modifications of the procedures.

Subp. 13. Copy of procedures. The continuing education coordinator must make available to all faculty and staff a copy of the written procedures required

in subpart 12. Also, the continuing education coordinator must make these procedures available to anyone else upon request.

Subp. 14. **Complaints.** Complaints which allege classroom discrimination during a course sponsored by a continuing education sponsor must be processed according to the written procedures required in subpart 12.

Statutory Authority: *MS s 626.843 subd 1; 626.845 subd 1*

History: *14 SR 12*

6700.1000 LICENSE RENEWAL.

[For text of subps 1 to 8, see M.R.]

Subp. 9. **Licensing examination.** For the purposes of subpart 8, the appropriate licensing examination is as follows:

A. the peace officer licensing examination for a peace officer; or

B. the part-time peace officer licensing examination for a part-time peace officer.

[For text of subps 10 and 11, see M.R.]

Statutory Authority: *MS s 626.843 subd 1; 626.845 subd 1*

History: *14 SR 12*

6700.1100 [Repealed, 14 SR 12]

6700.1200 [Repealed, 14 SR 12]

6700.1201 [Repealed, 14 SR 12]

POLICE PURSUITS

6700.2700 POLICE PURSUITS.

The board recognizes the complex and unpredictable factors associated with police pursuits. It is imperative that there be written procedures for these types of serious law enforcement operations. The board has identified the issues which the procedures must consider. Because police pursuits may involve peace officers from other jurisdictions, the board encourages each agency to advise neighboring agencies, or agencies which have concurrent jurisdictions, of its police pursuit policies.

Statutory Authority: *MS s 626.843 subd 1; 626.845 subd 1*

History: *14 SR 12*

6700.2701 ESTABLISHMENT OF POLICE PURSUIT PROCEDURES.

On or before October 1, 1989, the chief law enforcement officer of each agency must establish written procedures to govern the conduct of peace officers from that agency who are in pursuit of a vehicle being operated in violation of Minnesota Statutes, section 609.487. These written procedures must consider the following issues:

A. circumstances in which a peace officer may initiate a pursuit of a vehicle being operated in violation of Minnesota Statutes, section 609.487;

B. duties and number of the agency's law enforcement vehicles, displaying red lights and siren, that are permitted to participate in the pursuit of a vehicle operated in violation of Minnesota Statutes, section 609.487;

C. assignments of the agency's other assisting law enforcement vehicles;

D. requirements for the operation of the pursuing law enforcement vehicle that is operated as an authorized emergency vehicle as prescribed in Minnesota Statutes, chapter 169;

E. use and proper application of specific offensive tactics which may be

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used to terminate a pursuit including, but not limited to, bumping, ramming, blocking, or boxing in the pursued vehicle;

- F. circumstances under which a pursuit is to be terminated;
- G. radio communications procedures during a pursuit;
- H. role and responsibilities of the agency's on-duty supervisors during a pursuit;
- I. application of deadly force as defined by Minnesota Statutes, section 609.066, during the course of a pursuit;
- J. role and responsibilities of the agency's peace officer during intra-jurisdictional and inter-jurisdictional pursuits; and
- K. methods of evaluation of the pursuit.

The written procedures must also state how peace officers will provide assistance to a person injured during the course of a pursuit.

Statutory Authority: *MS s 626.843 subd 1; 626.845 subd 1*

History: *14 SR 12*

6700.2702 TRAINING REQUIREMENTS.

The chief law enforcement officer of each law enforcement agency shall adopt specific training requirements concerning pursuits based on:

A. written procedures governing conduct of peace officers who are in pursuit of a vehicle being operated in violation of Minnesota Statutes, section 609.487;

- B. type of agency and geographical location;
- C. training needs of the peace officers within the agency;
- D. overall training needs of the agency; and
- E. an analysis of the evaluations of previous pursuits.

Statutory Authority: *MS s 626.843 subd 1; 626.845 subd 1*

History: *14 SR 12*

6700.2703 COPIES OF PROCEDURES.

Subpart 1. Police pursuit copies. Copies of the written procedures governing police pursuits, or any subsequent modifications, must specify the effective date.

Subp. 2. Copies available to public. Copies of current written procedures governing police pursuits must be available to the public on request. Copies of written procedures governing police pursuits and any subsequent modifications of the procedures must be distributed by the chief law enforcement officers to licensees who are employed or appointed by the agency.

Statutory Authority: *MS s 626.843 subd 1; 626.845 subd 1*

History: *14 SR 12*

6700.2704 AFFIRMATION OF COMPLIANCE.

The chief law enforcement officer of each law enforcement agency shall affirm to the board compliance with part 6700.2701 no later than October 15, 1989. The board will supply the compliance form to be used. If any agency begins operation after October 1, 1989, the chief law enforcement officer shall affirm to the board compliance with part 6700.2701 no later than 15 days after the agency begins operation.

Statutory Authority: *MS s 626.843 subd 1; 626.845 subd 1*

History: *14 SR 12*