

CHAPTER 7406
DEPARTMENT OF PUBLIC SAFETY
DRIVER AND VEHICLE SERVICES DIVISION
DEPUTY REGISTRARS

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7406.0100 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of this chapter, the following terms have the meanings given them.

Subp. 2. **Registrar.** "Registrar" has the meaning given it in Minnesota Statutes, section 168.011, subdivision 18.

Subp. 3. **Application.** "Application" has the meaning given "application for registration" in Minnesota Statutes, section 168.011, subdivision 2, and includes a reapplication.

Subp. 4. **Metropolitan area.** "Metropolitan area" has the meaning given it in Minnesota Statutes, section 473.121, subdivision 2.

Statutory Authority: *MS s 14.02 subd 4; 168.33*

7406.0200 PURPOSE AND SCOPE.

Subpart 1. **Purpose.** The purpose of this chapter is to carry out the mandate of the legislature as set forth in Minnesota Statutes, section 168.33 with respect to the appointment and regulation of motor vehicle deputy registrars.

Subp. 2. **Scope.** The scope of this chapter is intended to be confined within the framework of and to be consistent with Minnesota Statutes, chapters 168 and 168A.

Statutory Authority: *MS s 14.02 subd 4; 168.33*

7406.0300 CRITERIA FOR ESTABLISHING NEW OFFICE OR NEW DEPUTY REGISTRAR APPOINTMENT.

Subpart 1. **Within metropolitan area and in cities of over 50,000 population.** The following conditions must be met before a new deputy registrar office is approved or a new deputy registrar is appointed:

A. The estimated number of applications that a new deputy registrar office will process annually must be at least 20,000. The number of applications will be estimated as follows: 40 percent of the applications processed within the preceding year by existing deputy registrar offices located within a four-mile radius of the proposed new office or 25 percent of the applications processed within the preceding year by existing deputy registrars within six miles of the proposed new office, whichever is the larger.

B. The proposed new office must not be located within three miles of an existing deputy registrar office.

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

A. The estimated number of applications that a new deputy registrar office will process annually must be at least 4,000. The number of applications will be estimated as follows: 20 percent of the applications processed within the preceding year by existing deputy registrar offices located

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within 20 miles of the proposed new office, or, if there is no existing deputy registrar office located within 20 miles of the proposed new office, the total number of new car sales, multiplied by four, made by all new car dealers within 25 miles of the proposed new office as determined by a survey taken by the registrar, plus one-half the population of all towns and cities that are closer to the new proposed office than to any existing deputy registrar office.

B. The proposed new office must not be located within 15 miles or 25 minutes driving time of an existing deputy registrar office, except in cities having a population of 25,000 to 50,000.

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

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

Statutory Authority: *MS s 14.02 subd 4; 168.33*

7406.0400 DEPUTY REGISTRAR OFFICE REQUIREMENTS.

Subpart 1. **In general.** Any new office or change in location must comply with subparts 2 to 7.

Subp. 2. **Exclusive area.** A deputy registrar office must contain an area or room used exclusively for processing applications. It may not be used for living space or for transacting any other business. A counter or divider must be installed within the exclusive area or room to separate the public from the deputy registrar and employees.

Subp. 3. **Security.** The following security requirements must be provided:

A. The office must contain a secured area to store plates and stickers.

B. The office must contain a security safe or vault.

Subp. 4. **Size of exclusive area.** The size of the exclusive area or room is based on the projected estimated number of applications that will be processed annually by the deputy registrar.

A. If the projected estimated number of applications to be processed annually is between 5,000 and 8,000, the exclusive area or room must contain a minimum of 300 square feet.

B. If the projected estimated number of applications to be processed annually exceeds 8,000, the exclusive area or room must contain a minimum of 400 square feet.

Subp. 5. **Accessibility.** The office must be accessible to the handicapped.

Subp. 6. **Identification.** An outdoor sign must be prominently displayed to identify the office.

Subp. 7. **Conflicting business interests.** A deputy registrar office may not be operated in conjunction with the sale of motor vehicles or automobile insurance.

Statutory Authority: *MS s 14.02 subd 4; 168.33*

7406.0500 GENERAL OPERATING RULES FOR DEPUTY REGISTRARS.

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

A. Except for publicly operated and American Automobile Association deputy registrar offices, a deputy registrar must be the principal person in charge of the office and must actively participate in the processing of applications.

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B. Except for publicly operated and American Automobile Association deputy registrar offices, a deputy registrar may not delegate to another person the authority or responsibility of operating the office. The deputy must be in the office operating it on a full-time basis.

Subp. 2. **Hours.** Deputy registrar offices must be open for business at least 40 hours during each normal workweek.

Subp. 3. **Solicitation.** Deputy registrars may not solicit or seek to provide service beyond 75 percent of the distance between his or her office and the office of another deputy registrar.

Subp. 4. **Location.** A deputy registrar appointment is for operating an office in the specific location named by the registrar. A deputy registrar may not change the office location without the approval of the registrar.

Subp. 5. **Filing fees.** Filing fees must be governed by the following requirements:

A. A deputy registrar must charge and receive the full filing fee specified by law. Rebates are prohibited.

B. No additional fee may be charged for a correction required in a previously submitted application if the error requiring the correction was made by the registrar, a member of the registrar's staff, or by a deputy registrar or employee of a deputy registrar.

Statutory Authority: *MS s 14.02 subd 4; 168.33*

7406.0600 PENALTY.

The registrar shall revoke the appointment of any deputy registrar who violates any requirement of Minnesota Statutes, section 168.33 or this chapter, unless the violation is corrected or discontinued or any deficiency supplied within 30 days after the registrar has given notice to the deputy registrar of the violation. Notice shall be given by certified mail.

Statutory Authority: *MS s 14.02 subd 4; 168.33*