

**7400.4100 LOCATION.**

Subpart 1. **Commercial building.** This subpart applies to a dealer licensed as a new motor vehicle dealer, a used motor vehicle dealer, a motor vehicle auctioneer, or a vehicle salvage pool. The dealer shall own or lease a commercial office space that must be enclosed with floor to ceiling walls. The office space must be for the exclusive use of the dealer. No person, partnership, corporation, or limited liability company other than the dealer may conduct business in the office space unless the other business is in a separate office space enclosed with floor to ceiling walls. The dealer may, however, conduct any business in the office space, provided the dealer maintains separate records for purchasing or selling motor vehicles or for other motor vehicle transactions. The dealer shall maintain a separate and identifiable doorway to the office space that leads directly to the office space from the outdoors or from a public area. The dealer may maintain other doorways to the office space. If any of the other doorways leads from commercial or residential space in the same building, there must be a door that can be shut and locked to close off the entire doorway. The dealer shall maintain an address that is separate from the address of any other business or entity in the building.

Subp. 2. **Commercial office space.** This subpart applies to a dealer licensed as a motor vehicle lessor or a motor vehicle wholesaler. The dealer shall own or lease a commercial office space that is enclosed with floor to ceiling walls. The office space must be for the exclusive use of the dealer. No person, partnership, corporation, or limited liability company other than the dealer may conduct business in the office space unless the other business is in a separate office space enclosed with floor to ceiling walls. The dealer may, however, conduct any business in the office space, provided the dealer maintains separate records for purchasing or selling motor vehicles or for other motor vehicle transactions. The dealer may have any number of doorways to the dealership. If a doorway leads from commercial or residential space in the same building, there must be a door that can be shut and locked to close off the entire doorway.

Subp. 3. **Display area.** This subpart applies to a dealer licensed as a new motor vehicle dealer, a used motor vehicle dealer, or a vehicle salvage pool. The area for the display of motor vehicles offered for sale by the dealer must be at least large enough for the reasonable display of five of the vehicles the dealer is selling. The display area boundaries or markings must make it readily apparent that the dealer is separate and distinct from other businesses.

Subp. 4. **Additional location.** If a dealer has an additional location in a commercial building or commercial office space, the location must conform to all of the commercial building or commercial office space requirements that apply to the dealer's original location. If the dealer has an additional location that is outdoors or in a public area, the dealer shall own or lease the location and it must be readily apparent that the dealer is separate and distinct from other businesses.

Subp. 5. **Phase-in.** The registrar shall waive the location requirements in this part for a licensed dealer whose location met the registrar's requirements at the time it was approved by the registrar, but whose location does not meet the requirements contained in this chapter. The waiver ends July 25, 1996. Until the waiver period ends, the location must meet either the requirements under which it was approved or the requirements of this part.

**Statutory Authority:** *MS s 299A.01*

**History:** *19 SR 157*

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