

7450.0500 APPROVAL PROCEDURE.

Subpart 1. **Application.** Application for approval of a wheelchair securement device must be made in writing to the commissioner and must be accompanied by the manufacturer's actual or proposed written installation and use instructions and photographs or drawings clearly depicting the construction of the device and its physical characteristics, including all mounting hardware. The application must also include the labeling used for identifying the manufacturer and the model designation. An application for approval of a user-friendly securement device must also include a test report or engineering document certifying that the device and its attachment to the vehicle can withstand the forces specified in part 7450.0460, or the manufacturer's specifications to the same effect listed in catalogs or publications by the manufacturer.

Subp. 2. **Demonstration of frame-attached securement device.** When requested by the commissioner, an applicant for approval of a frame-attached securement device shall provide a vehicle with the securement device installed in it, and demonstrate the device by attaching it to a wheelchair provided by the applicant. The commissioner may load the wheelchair to 140 pounds and require that the vehicle be accelerated, driven around corners, and subjected to hard braking at speeds of 30 miles per hour or less. Movement of the wheelchair more than one inch in any direction, including vertically, during the test is grounds for refusing approval. Measurement of movement must be at the points where wheelchair wheels contact the floor. Damage to the wheelchair or other property or injury to a person during the test is the responsibility of the applicant.

Subp. 2a. **Demonstration of user-friendly securement device.** When requested by the commissioner, an applicant for approval of a user-friendly securement device shall provide a vehicle with a wheelchair and with the securement device installed in the vehicle and demonstrate compliance of the device to the requirements of parts 7450.0430 and 7450.0460. Damage to the wheelchair or other property or injury to a person during the test is the responsibility of the applicant.

Subp. 3. **Approval.** On determining that the securement device meets the requirements of this chapter, the commissioner shall issue a certificate of approval authorizing use of the device. If a user-friendly device does not secure all types of wheelchairs, the certificate must state the types of wheelchairs for which the device is approved.

Subp. 4. **Denial and revocation.** The commissioner shall deny or revoke an approval upon a showing that the securement device does not meet a requirement of parts 7450.0100 to 7450.0800. The commissioner shall notify the applicant in writing of a denial or revocation of approval.

Subp. 5. **Label.** Each wheelchair securement device must be permanently labeled with the name, initials, or trademark of the manufacturer and the model designation of the

device. The label must be readily visible and legible from the outside of the device when it is properly mounted to the vehicle and in use.

Statutory Authority: *MS s 299A.01; 299A.12; 299A.18*

History: *16 SR 2246*

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