

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Drivers License and Motor Vehicle Records, Name of Applicant.

STATEMENT OF NEED AND REASONABLENESS

The above captioned rules are amendments to existing rules of the State Department of Public Safety. The captioned rules were adopted December, 1982.

The need to adopt these rules arises because of an error made when the department drafted and promulgated these rules in 1982. In proposed rule 7410.0100 the definition of "driver license and motor vehicle records" is changed so that it does not include applications for motor vehicle plates. In that way, whenever "driver license and motor vehicle records" appears elsewhere in rules 7410.0100 to 7410.0600, it will include only applications for drivers licenses, instruction permits, Minnesota identification cards, and motor vehicle certificates of title. The purpose of existing rules 7410.0100 to 7410.0600 is to prescribe the identification required for processing driver license and motor vehicle records in order to insure security and integrity of the records. This purpose is not served and is not applicable to application for registration plates because it does not involve change of ownership from one person to another nor change of name of an individual.

Proposed rule 7410.0400 Subpart 1., is changed to require surrender of drivers license, chauffeurs license, or instruction permit, only in cases of application for driver license. The need for this change is to clarify the intent of this rule. The purpose of the rules is to verify the applicant's true identity, correspond any new records with existing records, and ensure record integrity of one person/one record. However, it is not necessary to actually surrender the drivers license, chauffeur's license or instruction permit in the case of application for a motor vehicle certificate of title. Surrender is necessary only in the case of application for driver's license, so that the person is not issued more than one drivers license.

The department has considered the requirements of Minn. Stat. 14.115 and has determined that the proposed rules do not affect small businesses.

PAUL J. TSCHIDA
COMMISSIONER

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