

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Office of the Commissioner

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January 31, 2007

Alcohol
and Gambling
Enforcement

ARMER/911
Program

Bureau of
Criminal
Apprehension

Driver
and Vehicle
Services

Homeland
Security and
Emergency
Management

Minnesota
State Patrol

Office of
Communications

Office of
Justice Programs

Office of
Traffic Safety

State Fire
Marshal and
Pipeline Safety

The Honorable Tim Pawlenty
Governor, State of Minnesota

The Honorable Michael Paymar
The Honorable Steve Smith
Public Safety Finance Committee

The Honorable Bernie Lieder
The Honorable Doug Magnus
House Transportation Finance Committee

The Honorable Don Betzold
The Honorable Claire Robling
Senate State Government Budget Division

The Honorable Margaret Anderson
Kelliher, Chair
Legislative Coordinating Commission

Ms. Michele Timmons
Revisor of Statutes

The Honorable Joe Mullery
The Honorable Paul Kohls
Public Safety and Civil Justice

The Honorable Steve Murphy
The Honorable Michael Jungbauer
Senate Transportation Policy and
Budget Division

Subject: Annual Report on Obsolete, Unnecessary, or Duplicative Rules,
as Required by Minnesota Statutes, Section 14.05, Subdivision 5.

Dear Colleagues,

Minnesota Statutes, section 14.05, subdivision 5, states:

“Each year, an agency must submit to the Governor, the Legislative Coordinating Commission, the policy and funding committees and divisions with jurisdiction over the agency, and the revisor of statutes, a list of any rules or portions of rules that are obsolete, unnecessary, or duplicative of other state or federal statutes or rules. The list must also include an explanation of why the rule or portion of the rule is obsolete, unnecessary, or duplicative of other state or federal statutes or rules. The agency must either report a timetable for repeal of the rule or portion of the rule, or must develop a bill for submission to the appropriate policy committee to repeal the obsolete, unnecessary, or duplicative rule. Such a bill must include proposed authorization to use the expedited procedures of section 14.389 to repeal or amend the obsolete, unnecessary, or duplicative rule.

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Minnesota Statutes, section 14.05, subdivision 5, Obsolete Rules

A report submitted under this subdivision must be signed by the person in the agency who is responsible for identifying and initiating repeal of obsolete rules. The report also must identify the status of any rules identified in the prior years report as obsolete, unnecessary, or duplicative. If none of an agency's rules are obsolete, unnecessary or duplicative, an agency's December 1 report must state that conclusion."

At this time, we can identify the following rules of the Department of Public Safety that are obsolete, unnecessary, or duplicative and that should be repealed.

- Minnesota Rules, Chapter 7405: Commercial Fleet Vehicle Registration.
This rule duplicates statute in several areas and DVS can carry out its function to register rental trucks and trailers through the language in statute thus making the rule unnecessary. We will proceed to repeal the rule in 2007.
- Minnesota Rules, Chapter 7413: Motorcycle Insurance
These sections are duplicated in statute 169.796 and 169.797 or are unnecessary. We will proceed to repeal the remaining section of this rule in 2007. This action in no way affects the requirement to maintain motorcycle insurance or DVS' ability to enforce that requirement.
- Minnesota Rules, Chapter 7503: Driver's License Revocation, Incidents MR 7503.0200, subpart 2 can be repealed as it became obsolete when Minnesota law lowered the BAC to .08. We will proceed to repeal this rule in 2007.
- Minnesota Rules, Chapter 7411: Driver Education
This was listed in last years report. Sections 7411.5100 through 7411.5700 can be repealed as they are obsolete. We will begin that process in 2007.

If you have any questions regarding this report, please contact me at the Department of Public Safety Commissioner's Office (651) 201-7170.

Sincerely,



E. Joseph Newton, Program Administrator
General Counsel