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Office of the Commissioner

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The Honorable Steve Draskowski
House Civil Justice

Subject: Department of Public Safety 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 The list must also include an explanation of why the rule or portion of the rule is obsolete, unnecessary, or duplicative of other state or federal statutes or rules.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.

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 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 no obsolete rules of the Department of Public Safety.

In the prior report, we identified the Minnesota Rules listed below as being obsolete, unnecessary or duplicative. The current status of the rule is:

- MN Rules, Chapter 7511.8500 - 8570 were promulgated in accordance with the provisions of Minn. Stat. sec. 299F.840-299F.848. The statute was repealed and the requirements were incorporated in the State Fire Code and the rule making authority no longer exists; therefore, the rules are obsolete and duplicative and will be repealed.
- Minnesota Rules, Chapter 7413: Motor Vehicle and Motorcycle Insurance
The remaining parts of this chapter are unnecessary in light of amendments to Minnesota Statutes, sections 169.792 to 169.797. DVS will repeal the remaining rules.
- Minnesota Rules, Chapter 7507.0400: Material Safety Data Sheet Fee
"A person must pay a \$10 fee per material safety data sheet when the person submits material safety data sheets in lieu of a hazardous chemical report form as provided for under United States Code, title 42, section 11021." The Homeland Security Emergency Management Division will repeal this rule.
- Minnesota Rules, Chapter 7513.0100: Form
The hazardous substance notification report form, as required by Minnesota Statute, section 299F.094, is the 'Tier One – Emergency and Hazardous Chemical Inventory' form used by the state under the Superfund Amendments and Reauthorization Act of 1986, Public Law Number 99-499, title III, section 312. This rule will be repealed.

If you have any questions regarding this report, please contact me at (651) 201-7170.

Sincerely,



E. Joseph Newton
General Counsel

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