



## MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

600 North Robert Street  
Saint Paul, Minnesota 55101

Mailing Address:  
P.O. Box 64620  
St. Paul, Minnesota 55164-0620

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October 21, 2013

Helen J.M. Bassett  
Rules and Legislation Coordinator  
Minnesota Department of Public Safety  
445 Minnesota St  
Saint Paul, MN 55101

**Re: *In the Matter of the Proposed Rules Governing Motorcycle  
Road Guard Certification and Qualification Requirements*  
OAH 8-2400-22867; Revisor RD4088**

Dear Ms. Bassett:

I have reviewed the Dual Notice and the Additional Notice Plan that I received from you on October 17, 2013, to determine whether they meet the requirements of Minnesota law. The Dual Notice and the Additional Notice Plan are approved.

Please do not hesitate to contact Rachel Youness of our office at 651-361-7881 with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Eric L. Lipman /dlx".

ERIC L. LIPMAN  
Assistant Chief Administrative Law Judge

Telephone: (651) 361-7842

ELL:dc  
Enclosure

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Rules  
Governing Motorcycle Road Guard  
Certification and Qualification Requirements;  
Minnesota Rules, Part 7422

**ORDER ON REVIEW  
OF ADDITIONAL NOTICE  
PLAN AND DUAL NOTICE**

This matter came before Administrative Law Eric L. Lipman upon the application of the Minnesota Department of Public Safety (Department) for a legal review under Minn. R. 1400.2060 and 1400.2080.

On October 18, 2013, the Department filed documents with the Office of Administrative Hearings seeking review and approval of its additional notice plan and dual notice.

Based upon a review of the written submissions by the Department, including its plan to notify a number of cycling organizations, motorcycle training schools and driver safety advocacy organizations,

**IT IS HEREBY ORDERED THAT:**

1. The Docket Number in this matter is **MODIFIED** to OAH 8-2400-22867.
2. The Additional Notice Plan is **APPROVED**.
3. The Dual Notice is **APPROVED** contingent upon three additions to the text of the Notice:
  - (a) The appointment of the undersigned Administrative Law Judge, and telephone number (651) 361-7842, are noted in the paragraph entitled: "Notice of Hearing."
  - (b) The following sentences from page 4 of the Statement of Need and Reasonableness are placed on the first page of the Dual Notice: "The motorcycle road guard certificate program will aid DPS' efforts to increase safety for motorcycle riders and their passengers who engage in group ride activities, for sport, charity, and recreational purposes. The classroom and practical training, offered through the

# MINNESOTA DEPARTMENT OF PUBLIC SAFETY



## Driver and Vehicle Services

445 Minnesota Street • Saint Paul, Minnesota 55101-5195  
Phone: 651.296.6911 • Fax: 651.797.1120 • TTY: 651.282.6555  
Website: [dps.mn.gov](http://dps.mn.gov)

## MEMORANDUM

Alcohol  
and Gambling  
Enforcement

Bureau of Criminal  
Apprehension

Driver  
and Vehicle  
Services

Emergency  
Communication  
Networks

Homeland  
Security and  
Emergency  
Management

Minnesota  
State Patrol

Office of  
Communications

Office of  
Justice Programs

Office of  
Pipeline Safety

Office of  
Traffic Safety

State Fire  
Marshal

TO: Interested Parties

FROM: Jacqueline Cavanagh *JC*  
Legislation and Rules Coordinator, Driver and Vehicle Services

DATE: June 19, 2012

RE: Department of Public Safety Rulemaking

On Monday, June 25, 2012, the Department of Public Safety (DPS) will publish a Request for Comments on possible new rules in the *State Register*. This rulemaking relates to the motorcycle road guard certificate law that was recently enacted in *Laws 2012*, chapter 287. These rules are needed in order for DPS to establish safety and equipment requirements, curriculum content, and the fee for a person to obtain a motorcycle road guard certificate.

I thought you might be interested in receiving the enclosed copy of the Request for Comments. Please feel free to forward and distribute it as you deem appropriate. If you would prefer to receive notices via e-mail, or if you would prefer not to receive additional mailings related to this rulemaking proceeding, please contact me at the above address or by e-mail ([dvs.rules@state.mn.us](mailto:dvs.rules@state.mn.us)).

At least 60 days from June 25, DPS may publish a Notice of Intent to Adopt Rules, at which time a second comment period will begin. Pursuant to the Minnesota Administrative Procedure Act, DPS would also concurrently issue a Statement of Need and Reasonableness, which would articulate the justification for the possible new rules. If you have information that DPS should weigh as it considers further action, I encourage you to respond to the Request for Comments at your earliest convenience.

Thank you.

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Traffic Safety

State Fire  
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TO: Persons Registered to Receive Notification of Agency Rulemakings

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Legislation and Rules Coordinator

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You have received a copy of the Request for Comments because according to our records, you registered to receive notices of rulemaking proceedings commenced by the Department. If you would prefer to receive notices via e-mail instead of U.S. mail, or if you do not wish to continue receiving such notices from DPS, please notify Michael Hutchings by e-mail ([michael.hutchings@state.mn.us](mailto:michael.hutchings@state.mn.us)) or at 445 Minnesota Street, Suite 1000, Saint Paul, MN 55101.

Thank you.