

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

motorcycle road guard program, will benefit Minnesota Motorcyclists and the general public.”¹

- (c) The Dual Notice include the approval of an authorized person, and date that person signed the Notice, as provided for in Minn. R. 1400.2080, subp. 2 (I).

Dated: October 21, 2013

s/Eric L. Lipman

ERIC L. LIPMAN
Administrative Law Judge

¹ Minn. Stat. § 14.22 (“The mailed notice must include either a copy of the proposed rule or an easily readable and understandable description of its nature and effect and an announcement that a free copy of the proposed rule is available on request from the agency”); Minn. R. 1400.2540 (“If the proposed rule is not attached to the mailed notice, then this notice must include an easily readable and understandable description of the rule’s nature and effect”).