

**661—10.326(17A) Final decision.**

**10.326(1)** When commissioner of public safety presides over the reception of evidence at the hearing, the commissioner's decision is a final decision.

**10.326(2)** When the commissioner does not preside at the reception of evidence, the presiding officer shall make a proposed decision. The proposed decision becomes the final decision of the agency without further proceedings unless there is an appeal to, or review on motion of, the department within the time provided in rule 10.327(17A).