**74:09:01:09.  Motions.** Any party may make a motion by filing it in writing with the department. Copies of the motion shall be served on the chair of the hearing and all parties of record. The motion shall contain the factual and legal bases for the motion. The chair of the hearing may hear the motion and decide on it at the prehearing conference or at the contested case hearing before the board.

**Source:** 14 SDR 50, effective October 4, 1987; 23 SDR 31, effective September 8, 1996.

**General Authority:** SDCL 34A-1-6, 34A-6-1.6, 34A-6-1.14, 34A-11-9, 45-9-13.

**Law Implemented:** SDCL 1-26-18, 1-26-19, 1-26-19.2, 34A-1-43.