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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1229

02/25/2015 Authored by Marquart

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance

03/18/2015 Adoption of Report: Amended and re-referred to the Committee on Public Safety and Crime Prevention Policy and Finance

1.1 A bill for an act
1.2 relating to transportation; clarifying the authority of state patrol employees who
1.3 are not troopers; amending Minnesota Statutes 2014, section 299D.06.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2014, section 299D.06, is amended to read:

1.6 **299D.06 PATROL EMPLOYEES WHO ARE NOT TROOPERS.**

1.7 (a) Department personnel must be classified employees assigned to the Division of
1.8 State Patrol if they are employed to enforce:

1.9 (1) laws relating to motor vehicle equipment; school bus equipment; drivers'
1.10 licenses; motor vehicle registration; motor vehicle size and weight; motor carrier
1.11 insurance, registration, and safety; and motor vehicle petroleum taxes;

1.12 (2) Pollution Control Agency rules relating to motor vehicle noise abatement;

1.13 (3) laws relating to directing the movement of vehicles; and

1.14 (4) the North American uniform out-of-service criteria and issue out-of-service
1.15 orders, as defined in Code of Federal Regulations, title 49, section 383.5.

1.16 (b) Employees engaged in these duties, while actually on the job during their
1.17 working hours only, shall have power to:

1.18 (1) issue citations in lieu of arrest and continued detention; ~~and~~

1.19 (2) prepare notices to appear in court for violation of these laws and rules, in the
1.20 manner provided in section 169.91, subdivision 3-; and

1.21 (3) stop commercial vehicles for purposes of spot-check inspections under section
1.22 169.771 and weight enforcement under section 169.85.

2.1 (c) They shall not be armed and, except as provided in this section, shall have none
2.2 of the other powers and privileges reserved to peace officers including the power to
2.3 enforce traffic laws and regulations.

2.4 (d) For purposes of this section, "commercial vehicle" means:

2.5 (1) a motor vehicle that is a commercial motor vehicle, as defined in section
2.6 169.011, subdivision 16;

2.7 (2) a commercial motor vehicle, as defined in Code of Federal Regulations, title
2.8 49, section 390.5, or successor rules; or

2.9 (3) a vehicle operated under chapter 221 by a motor carrier, as defined in section
2.10 221.012, subdivision 25.