

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3328

02/14/2022 Authored by Novotny, Lueck, Demuth, Theis, Boe and others
The bill was read for the first time and referred to the Committee on Commerce Finance and Policy

1.1 A bill for an act
1.2 relating to commerce; authorizing the use of money in the automobile theft
1.3 prevention account for a database to track the sale of used catalytic converters;
1.4 requiring development and maintenance of a database to track used catalytic
1.5 converters; making the database available to law enforcement; appropriating
1.6 money; amending Minnesota Statutes 2020, sections 65B.84, subdivision 1;
1.7 325E.21, by adding a subdivision.

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

1.9 Section 1. Minnesota Statutes 2020, section 65B.84, subdivision 1, is amended to read:

1.10 Subdivision 1. Program described; commissioner's duties; appropriation. (a) The
1.11 commissioner of commerce shall:

1.12 (1) develop and sponsor the implementation of statewide plans, programs, and strategies
1.13 to combat automobile theft, improve the administration of the automobile theft laws, and
1.14 provide a forum for identification of critical problems for those persons dealing with
1.15 automobile theft;

1.16 (2) coordinate the development, adoption, and implementation of plans, programs, and
1.17 strategies relating to interagency and intergovernmental cooperation with respect to
1.18 automobile theft enforcement;

1.19 (3) annually audit the plans and programs that have been funded in whole or in part to
1.20 evaluate the effectiveness of the plans and programs and withdraw funding should the
1.21 commissioner determine that a plan or program is ineffective or is no longer in need of
1.22 further financial support from the fund;

1.23 (4) develop a plan of operation including:

- 2.1 (i) an assessment of the scope of the problem of automobile theft, including areas of the
2.2 state where the problem is greatest;
- 2.3 (ii) an analysis of various methods of combating the problem of automobile theft;
- 2.4 (iii) a plan for providing financial support to combat automobile theft;
- 2.5 (iv) a plan for eliminating car hijacking; and
- 2.6 (v) an estimate of the funds required to implement the plan; and
- 2.7 (5) distribute money, in consultation with the commissioner of public safety, pursuant
2.8 to subdivision 3 from the automobile theft prevention special revenue account for automobile
2.9 theft prevention activities, including:
- 2.10 (i) paying the administrative costs of the program;
- 2.11 (ii) providing financial support to the State Patrol and local law enforcement agencies
2.12 for automobile theft enforcement teams;
- 2.13 (iii) providing financial support to state or local law enforcement agencies for programs
2.14 designed to reduce the incidence of automobile theft and for improved equipment and
2.15 techniques for responding to automobile thefts;
- 2.16 (iv) providing financial support to local prosecutors for programs designed to reduce
2.17 the incidence of automobile theft;
- 2.18 (v) providing financial support to judicial agencies for programs designed to reduce the
2.19 incidence of automobile theft;
- 2.20 (vi) providing financial support for neighborhood or community organizations or business
2.21 organizations for programs designed to reduce the incidence of automobile theft and to
2.22 educate people about the common methods of automobile theft, the models of automobiles
2.23 most likely to be stolen, and the times and places automobile theft is most likely to occur;
2.24 ~~and~~
- 2.25 (vii) providing financial support for automobile theft educational and training programs
2.26 for state and local law enforcement officials, driver and vehicle services exam and inspections
2.27 staff, and members of the judiciary; and
- 2.28 (viii) paying for the database of catalytic converter sales established under section
2.29 325E.21, subdivision 9a.
- 2.30 (b) The commissioner may not spend in any fiscal year more than ten percent of the
2.31 money in the fund for the program's administrative and operating costs. The commissioner

3.1 is annually appropriated and must distribute the amount of the proceeds credited to the
3.2 automobile theft prevention special revenue account each year, less the transfer of \$1,300,000
3.3 each year to the insurance fraud prevention account described in section 297I.11, subdivision
3.4 2.

3.5 (c) At the end of each fiscal year, the commissioner may transfer any unobligated balances
3.6 in the auto theft prevention account to the insurance fraud prevention account under section
3.7 45.0135, subdivision 6.

3.8 Sec. 2. Minnesota Statutes 2020, section 325E.21, is amended by adding a subdivision to
3.9 read:

3.10 Subd. 9a. Database of catalytic converter sales. (a) For the purpose of assisting criminal
3.11 justice agencies in the investigation and prosecution of criminal activity, the commissioner
3.12 must develop and maintain a database of information related to the sale of detached catalytic
3.13 converters to scrap metal dealers. The system consists of data required to be recorded
3.14 pursuant to subdivision 1b, paragraph (b). Data in the system must be submitted and
3.15 maintained as provided in this subdivision and must be accessible to law enforcement
3.16 agencies through a secure website.

3.17 (b) Every scrap metal dealer, including an agent, employee, or representative of the
3.18 dealer, must provide the information recorded pursuant to subdivision 1b, paragraph (b), to
3.19 the commissioner by transferring the information electronically pursuant to requirements
3.20 established by the commissioner. All required records must be transmitted completely and
3.21 accurately. Any transmission that does not meet the requirements established by the
3.22 commissioner must be corrected and resubmitted the next business day.

3.23 (c) Every scrap metal dealer must display a sign notifying patrons that all transactions
3.24 involving catalytic converters are reported to the commissioner and made available to law
3.25 enforcement. Signs must be at least 8-1/2 inches by 11 inches and be posted in a conspicuous
3.26 place in the premises. Lettering on the sign must be at least two inches high.

3.27 (d) Records submitted to the commissioner shall be retained and made available in the
3.28 database of catalytic converter sales for a period of three years.

3.29 (e) Data collected by the commissioner pursuant to this section are confidential data on
3.30 individuals as defined in section 13.02, subdivision 3, but are accessible to law enforcement
3.31 agencies as defined in section 626.84, subdivision 1, paragraph (f), and may be released to
3.32 criminal justice agencies as defined in section 13.02, subdivision 3a.

4.1 Sec. 3. **CATALYTIC CONVERTER DATABASE; APPROPRIATION.**

4.2 \$..... in fiscal year 2022 is appropriated from the automobile theft prevention account
4.3 established under Minnesota Statutes, section 297I.11, subdivision 2, to the commissioner
4.4 of corrections to develop and maintain a database pursuant to Minnesota Statutes, section
4.5 325E.21, subdivision 9a. The base for this appropriation is \$..... in fiscal year 2023 and
4.6 thereafter.