

**SENATE  
STATE OF MINNESOTA  
NINETY-FOURTH SESSION**

**S.F. No. 4274**

(SENATE AUTHORS: HOFFMAN and Howe)

DATE	D-PG	OFFICIAL STATUS
03/09/2026	6572	Introduction and first reading Referred to Judiciary and Public Safety
03/11/2026	6602	Author stricken Howe
03/17/2026	6755	Author added Howe
03/23/2026	6921	Withdrawn and re-referred to Transportation
03/26/2026		Comm report: Amended, No recommendation, re-referred to Judiciary and Public Safety

1.1 A bill for an act

1.2 relating to public safety; modifying the fleeing a peace officer in a motor vehicle

1.3 crime; authorizing certain actions by peace officers in police pursuits; addressing

1.4 civil liability; amending Minnesota Statutes 2024, sections 299D.03, subdivision

1.5 1; 609.066, subdivisions 1a, 2; 609.487, by adding subdivisions.

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

1.7 Section 1. Minnesota Statutes 2024, section 299D.03, subdivision 1, is amended to read:

1.8 Subdivision 1. **Members, powers, and duties.** (a) The commissioner is hereby authorized

1.9 to employ and designate a chief supervisor, a chief assistant supervisor, and such assistant

1.10 supervisors, sergeants and officers as are provided by law, who shall comprise the Minnesota

1.11 State Patrol.

1.12 (b) The members of the Minnesota State Patrol shall have the power and authority:

1.13 (1) as peace officers to enforce the provisions of the law relating to the protection of

1.14 and use of trunk highways;

1.15 (2) at all times to direct all traffic on trunk highways in conformance with law, and in

1.16 the event of a fire or other emergency, or to expedite traffic or to insure safety, to direct

1.17 traffic on other roads as conditions may require notwithstanding the provisions of law;

1.18 (3) to serve search warrants related to criminal motor vehicle and traffic violations and

1.19 arrest warrants, and legal documents anywhere in the state;

1.20 (4) to serve orders of the commissioner of public safety or the commissioner's duly

1.21 authorized agents issued under the provisions of the Driver's License Law, the Safety

2.1 Responsibility Act, or relating to authorized brake- and light-testing stations, anywhere in  
2.2 the state and to take possession of any license, permit, or certificate ordered to be surrendered;

2.3 (5) to inspect official brake and light adjusting stations;

2.4 (6) to make appearances anywhere within the state for the purpose of conducting traffic  
2.5 safety educational programs and school bus clinics;

2.6 (7) to exercise upon all trunk highways the same powers with respect to the enforcement  
2.7 of laws relating to crimes, as sheriffs and police officers;

2.8 (8) to cooperate, under instructions and rules of the commissioner of public safety, with  
2.9 all sheriffs and other police officers anywhere in the state, provided that said employees  
2.10 shall have no power or authority in connection with strikes or industrial disputes;

2.11 (9) to assist and aid any peace officer whose life or safety is in jeopardy;

2.12 (10) as peace officers to provide security and protection to the governor, governor elect,  
2.13 either or both houses of the legislature, and state buildings or property in the manner and  
2.14 to the extent determined to be necessary after consultation with the governor, or a designee.  
2.15 Pursuant to this clause, members of the State Patrol, acting as peace officers have the same  
2.16 powers with respect to the enforcement of laws relating to crimes, as sheriffs and police  
2.17 officers have within their respective jurisdictions;

2.18 (11) to inspect school buses anywhere in the state for the purposes of determining  
2.19 compliance with vehicle equipment, pollution control, and registration requirements;

2.20 (12) as peace officers to make arrests for public offenses committed in their presence  
2.21 anywhere within the state. Persons arrested for violations other than traffic violations shall  
2.22 be referred forthwith to the appropriate local law enforcement agency for further investigation  
2.23 or disposition; and

2.24 (13) to enforce the North American uniform out-of-service criteria and issue  
2.25 out-of-service orders, as defined in Code of Federal Regulations, title 49, section 383.5.

2.26 (c) After consultation with the governor or a designee, the commissioner may require  
2.27 the State Patrol to provide security and protection to supreme court justices, legislators, and  
2.28 constitutional officers other than the governor, for a limited period and within the limits of  
2.29 existing resources, in response to a credible threat on the individual's life or safety.

2.30 (d) The state may contract for State Patrol members to render the services described in  
2.31 this section in excess of their regularly scheduled duty hours and patrol members rendering

3.1 such services shall be compensated in such amounts, manner and under such conditions as  
3.2 the agreement provides.

3.3 (e) Peace officers employed by the state patrol shall make reasonable efforts to apprehend  
3.4 persons suspected of violating section 609.487.

3.5 ~~(e)~~ (f) Employees thus employed and designated shall subscribe an oath.

3.6 Sec. 2. Minnesota Statutes 2024, section 609.066, subdivision 1a, is amended to read:

3.7 Subd. 1a. **Legislative intent.** The legislature hereby finds and declares the following:

3.8 (1) that the authority to use deadly force, conferred on peace officers by this section, is  
3.9 a critical responsibility that shall be exercised judiciously and with respect for human rights  
3.10 and dignity and for the sanctity of every human life. The legislature further finds and declares  
3.11 that every person has a right to be free from excessive use of force by officers acting under  
3.12 color of law;

3.13 (2) as set forth below, it is the intent of the legislature that peace officers use deadly  
3.14 force only when necessary in defense of human life or to prevent great bodily harm. In  
3.15 determining whether deadly force is necessary, officers shall evaluate each situation in light  
3.16 of the particular circumstances of each case;

3.17 (3) that the decision by a peace officer to use deadly force shall be evaluated from the  
3.18 perspective of a reasonable officer in the same situation, based on the totality of the  
3.19 circumstances known to or perceived by the officer at the time, rather than with the benefit  
3.20 of hindsight, and that the totality of the circumstances shall account for occasions when  
3.21 officers may be forced to make quick judgments about using deadly force; ~~and~~

3.22 (4) that peace officers should exercise special care when interacting with individuals  
3.23 with known physical, mental health, developmental, or intellectual disabilities as an  
3.24 individual's disability may affect the individual's ability to understand or comply with  
3.25 commands from peace officers; and

3.26 (5) that fleeing a peace officer in a motor vehicle in violation of section 609.487 poses  
3.27 an actual and imminent threat of death or great bodily harm to the general public.

3.28 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to crimes  
3.29 committed on or after that date.

4.1 Sec. 3. Minnesota Statutes 2024, section 609.066, subdivision 2, is amended to read:

4.2 Subd. 2. **Use of deadly force.** (a) Notwithstanding the provisions of section 609.06 or  
4.3 609.065, the use of deadly force by a peace officer in the line of duty is justified only if an  
4.4 objectively reasonable officer would believe, based on the totality of the circumstances  
4.5 known to the officer at the time and without the benefit of hindsight, that such force is  
4.6 necessary:

4.7 (1) to protect the peace officer or another from death or great bodily harm, provided that  
4.8 the threat:

4.9 (i) can be articulated with specificity;

4.10 (ii) is reasonably likely to occur absent action by the law enforcement officer; and

4.11 (iii) must be addressed through the use of deadly force without unreasonable delay; or

4.12 (2) to effect the arrest or capture, or prevent the escape, of a person whom the peace  
4.13 officer knows or has reasonable grounds to believe has committed or attempted to commit  
4.14 a felony and the officer reasonably believes that the person will cause death or great bodily  
4.15 harm to another person under the threat criteria in clause (1), items (i) to (iii), unless  
4.16 immediately apprehended.

4.17 (b) A peace officer shall not use deadly force against a person based on the danger the  
4.18 person poses to self if an objectively reasonable officer would believe, based on the totality  
4.19 of the circumstances known to the officer at the time and without the benefit of hindsight,  
4.20 that the person does not pose a threat of death or great bodily harm to the peace officer or  
4.21 to another under the threat criteria in paragraph (a), clause (1), items (i) to (iii).

4.22 (c) A peace officer is authorized to perform an intervention technique during a motor  
4.23 vehicle pursuit under section 609.487 that results in death or great bodily harm unless the  
4.24 officer would not have immunity under section 609.487, subdivision 7.

4.25 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to crimes  
4.26 committed on or after that date.

4.27 Sec. 4. Minnesota Statutes 2024, section 609.487, is amended by adding a subdivision to  
4.28 read:

4.29 Subd. 7. **Immunity.** Neither a peace officer who engages in the pursuit of a person  
4.30 fleeing in a motor vehicle under this section nor the officer's employer may be held criminally  
4.31 or civilly liable for bodily injury to the person fleeing or a member of the general public or  
4.32 for damage to any property unless the officer:

5.1 (1) commits a federal civil rights violation when commencing or in the course of the  
5.2 pursuit;

5.3 (2) intends to commit harm; or

5.4 (3) knows, or should know, that capture of the fleeing motorist is impossible, or highly  
5.5 unlikely, given the circumstances involved in the pursuit.

5.6 The result of an intervention technique may not be used as evidence for intent to harm under  
5.7 clause (2).

5.8 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to crimes  
5.9 committed on or after that date.

5.10 Sec. 5. Minnesota Statutes 2024, section 609.487, is amended by adding a subdivision to  
5.11 read:

5.12 Subd. 8. **Civil liability.** (a) A person who violates this section is civilly liable for any  
5.13 bodily injury to another or damage to property resulting from the pursuit when an intervention  
5.14 technique is employed by law enforcement.

5.15 (b) Paragraph (a) does not apply to a person who violates this section in a motor vehicle  
5.16 that has fewer than four wheels, unless:

5.17 (1) the intervention technique involves only a box in or moving roadblock intended by  
5.18 law enforcement to gradually slow the vehicle to a stop;

5.19 (2) the person is actively fleeing a violent crime that resulted in death or great bodily  
5.20 harm to another; or

5.21 (3) the use of deadly force is authorized in section 609.066.

5.22 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to crimes  
5.23 committed on or after that date.