

A bill for an act
relating to the metropolitan transit police; clarifying law enforcement agency
jurisdiction; including transit police in distribution of forfeited items; amending
Minnesota Statutes 2006, sections 473.407, subdivision 1; 609.531, subdivision
1.

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

Section 1. Minnesota Statutes 2006, section 473.407, subdivision 1, is amended to read:

Subdivision 1. **Authorization.** The council may appoint peace officers, as defined
in section 626.84, subdivision 1, paragraph (c), and establish a law enforcement agency,
as defined in section 626.84, subdivision 1, paragraph (f), known as the Metropolitan
Transit Police, to police its transit property and routes, to carry out investigations, and to
make arrests under sections 629.30 and 629.34. The jurisdiction of the law enforcement
agency is limited to offenses relating to council transit property, equipment, employees,
and passengers. The jurisdiction of the Metropolitan Transit Police shall include traffic
lanes designed for bus or transit use, freeway or expressway shoulders in the seven-county
metropolitan area used by authorized transit buses and metro mobility buses under section
169.306, and high-occupancy vehicle lanes used by transit buses. Upon request from, or
under an agreement with, any law enforcement agency and subject to the availability of
its personnel and other resources, the Metropolitan Transit Police may exercise general
law enforcement agency authority to assist any law enforcement agency in implementing
or carrying out law enforcement activities, programs, or initiatives. If the commissioner
of transportation contracts with the Metropolitan Council for operation of commuter rail
facilities under section 174.90, the jurisdiction of the Metropolitan Transit Police extends
to offenses relating to the operation, property, facilities, equipment, employees, and
passengers of the commuter rail facilities located in and outside of the metropolitan area.

H.F. No. 1279, as introduced - 85th Legislative Session (2007-2008)

Sec. 2. Minnesota Statutes 2006, section 609.531, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For the purpose of sections 609.531 to 609.5318, the following terms have the meanings given them.

(a) "Conveyance device" means a device used for transportation and includes, but is not limited to, a motor vehicle, trailer, snowmobile, airplane, and vessel and any equipment attached to it. The term "conveyance device" does not include property which is, in fact, itself stolen or taken in violation of the law.

(b) "Weapon used" means a dangerous weapon as defined under section 609.02, subdivision 6, that the actor used or had in possession in furtherance of a crime.

(c) "Property" means property as defined in section 609.52, subdivision 1, clause (1).

(d) "Contraband" means property which is illegal to possess under Minnesota law.

(e) "Appropriate agency" means the Bureau of Criminal Apprehension, the Minnesota Division of Driver and Vehicle Services, the Minnesota State Patrol, a county sheriff's department, the Three Rivers Park District park rangers, the Department of Natural Resources Division of Enforcement, the University of Minnesota Police Department, the Department of Corrections' Fugitive Apprehension Unit, or a city, metropolitan transit, or airport police department.

(f) "Designated offense" includes:

(1) for weapons used: any violation of this chapter, chapter 152, or chapter 624;

(2) for driver's license or identification card transactions: any violation of section 171.22; and

(3) for all other purposes: a felony violation of, or a felony-level attempt or conspiracy to violate, section 325E.17; 325E.18; 609.185; 609.19; 609.195; 609.21; 609.221; 609.222; 609.223; 609.2231; 609.24; 609.245; 609.25; 609.255; 609.282; 609.283; 609.322; 609.342, subdivision 1, clauses (a) to (f); 609.343, subdivision 1, clauses (a) to (f); 609.344, subdivision 1, clauses (a) to (e), and (h) to (j); 609.345, subdivision 1, clauses (a) to (e), and (h) to (j); 609.352; 609.42; 609.425; 609.466; 609.485; 609.487; 609.52; 609.525; 609.527; 609.528; 609.53; 609.54; 609.551; 609.561; 609.562; 609.563; 609.582; 609.59; 609.595; 609.631; 609.66, subdivision 1e; 609.671, subdivisions 3, 4, 5, 8, and 12; 609.687; 609.821; 609.825; 609.86; 609.88; 609.89; 609.893; 609.895; 617.246; 617.247; or a gross misdemeanor or felony violation of section 609.891 or 624.7181; or any violation of section 609.324.

(g) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 are effective the day following final enactment.