

A bill for an act
relating to traffic regulations; clarifying the right of protective agents to
escort oversized loads; amending Minnesota Statutes 2010, section 326.338,
subdivision 4.

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

Section 1. Minnesota Statutes 2010, section 326.338, subdivision 4, is amended to read:

Subd. 4. **Protective agent.** A person who for a fee, reward, or other valuable
consideration undertakes any of the following acts is considered to be engaged in the
business of protective agent:

(1) providing guards, private patrol, or other security personnel to protect persons or
their property or to prevent the theft, unlawful taking of goods, merchandise, or money, or
to prevent the misappropriation or concealment of goods, merchandise, money, or other
valuable things, or to procure the return of those things;

(2) physically responding to any alarm signal device, burglar alarm, television
camera, still camera, or a mechanical or electronic device installed or used to prevent or
detect burglary, theft, shoplifting, pilferage, losses, or other security measures;

(3) providing armored car services for the protection of persons or property;

(4) controlling motor traffic on public streets, roads, and highways for the purpose
of escorting a funeral procession and oversized loads; or

(5) providing management and control of crowds for the purpose of safety and
protection.

A person covered by this subdivision may perform the traffic-control duties in clause
(4) in place of a ~~police~~ peace officer when a special permit is required, provided that the
protective agent is first-aid qualified. A special permit may not be denied or withheld

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2.1 because the traffic control duties in clause (4) will be performed by a licensed protective
2.2 agent rather than a peace officer. The commissioner of transportation may not adopt a
2.3 rule or regulation that either directly or indirectly bars licensed protective agents from
2.4 performing the traffic control duties in clause (4).