

A bill for an act

relating to traffic regulations; permitting use of lights by licensed protective agents under certain escort circumstances; amending powers of licensed protective agents; making technical changes; amending Minnesota Statutes 2010, sections 169.64, subdivision 3, by adding a subdivision; 169.86, subdivision 3b; 326.338, subdivision 4.

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

Section 1. Minnesota Statutes 2010, section 169.64, subdivision 3, is amended to read:

Subd. 3. **Flashing lights.** (a) Flashing lights are prohibited, except:

(1) on an authorized emergency vehicle, school bus, bicycle as provided in section 169.222, subdivision 6, road maintenance equipment, tow truck or towing vehicle, service vehicle, farm tractor, self-propelled farm equipment, rural mail carrier vehicle, funeral home vehicle, ~~or~~;

(2) on any vehicle as a means of indicating a right or left turn, ~~or~~ as provided under section 169.57, subdivision 2;

(3) in the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking, or passing, and as provided under section 169.59, subdivision 4; or

(4) as authorized in this section.

(b) All flashing warning lights shall be of the type authorized by section 169.59, subdivision 4, unless otherwise permitted or required in this chapter.

Sec. 2. Minnesota Statutes 2010, section 169.64, is amended by adding a subdivision to read:

2.1 Subd. 5a. **Light on protective agent vehicle.** (a) A person who is licensed as a
2.2 protective agent under sections 326.32 to 326.339 may operate a vehicle with one or
2.3 more lights as provided in this subdivision.

2.4 (b) A person operating a vehicle may display the lights under this subdivision
2.5 only when that person is escorting (1) another vehicle that is operating under a special
2.6 permit issued under section 169.86 that requires use of flashing warning lights, or (2) a
2.7 funeral procession.

2.8 (c) The lights under this subdivision:

2.9 (1) may be solid, flashing, oscillating, alternating, intermittent, or rotating;

2.10 (2) may display to the front of the vehicle (i) white or amber lights, or (ii) lights
2.11 projecting any shade of color between white and amber;

2.12 (3) may display to the front or rear of the vehicle (i) amber or red lights, or (ii) lights
2.13 projecting any shade of color between amber and red; and

2.14 (4) must meet the requirements of the commissioner of public safety under section
2.15 169.65.

2.16 Sec. 3. Minnesota Statutes 2010, section 169.86, subdivision 3b, is amended to read:

2.17 Subd. 3b. **Escort vehicles.** (a) The commissioner or local authority shall specify
2.18 in the permit:

2.19 (1) the minimum number of escort vehicles required to escort the overdimensional
2.20 load; ~~and~~

2.21 (2) whether and the manner in which flashing warning lights are required; and

2.22 (3) whether the operators of the escort vehicles;

2.23 (i) must be certified licensed peace officers or licensed protective agents under
2.24 section 326.338, subdivision 4; or

2.25 (ii) may be overdimensional load escort drivers who hold a current certificate under
2.26 section 299D.085.

2.27 (b) For a permit under this section requiring escort of the overdimensional load, the
2.28 commissioner of transportation may not adopt a rule or other regulation that, whether
2.29 directly or indirectly, (1) bars licensed protective agents from performing the traffic
2.30 control duties under section 326.338, subdivision 4, clause (4); or (2) has the effect
2.31 of requiring the permit holder to obtain escort services specifically from either a peace
2.32 officer or a licensed protective agent.

2.33 **EFFECTIVE DATE.** Paragraph (a) is effective on the same day as the effective
2.34 date of Laws 2010, chapter 311, section 2. Paragraph (b) is effective August 1, 2011.

3.1 Sec. 4. Minnesota Statutes 2010, section 326.338, subdivision 4, is amended to read:

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

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

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

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

3.13 (4) controlling motor traffic on public streets, roads, and highways for the purpose of
3.14 escorting a funeral procession and oversized loads, including but not limited to controlling
3.15 right-of-way of oncoming traffic; or

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

3.18 A person covered by this subdivision may perform the traffic-control duties in clause
3.19 (4) in place of a ~~police~~ peace officer when a special permit is required, provided that
3.20 the protective agent is first-aid qualified.