

**CHAPTER 224—S.F.No. 3647**

*An act relating to public safety; making certain emergency responders exempt from permit requirement for emergency communications equipment; amending Minnesota Statutes 2006, section 299C.37, subdivision 3.*

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

Section 1. Minnesota Statutes 2006, section 299C.37, subdivision 3, is amended to read:

Subd. 3. **Permit.** (a) The superintendent of the bureau shall, upon written application, issue a written permit, which shall be nontransferable, to a person, firm, political subdivision, or corporation showing good cause to use radio equipment capable of receiving a police emergency frequency, as a necessity, in the lawful pursuit of a business, trade, or occupation.

(b) Notwithstanding paragraph (a), a permit is not required for emergency response personnel, as defined in section 299F.092, who are members of a public safety agency, as defined in section 403.02, to use agency-issued radio equipment as described in subdivision 1, paragraph (a), when:

(1) the holder of a Federal Communications Commission (FCC) license has granted the public safety agency written permission for the use of the frequencies authorized under the FCC license; or

(2) the agency is authorized to monitor or operate on any police emergency talk group on the ARMER public safety radio system in accordance with the technical and operational standards adopted by the Statewide Radio Board, as provided in section 403.37 or where the public safety agency use of a frequency allocated to police interoperability is consistent with any applicable rules or regulations.

Presented to the governor April 21, 2008

Signed by the governor April 24, 2008, 3:21 p.m.