

CHAPTER 299C

BUREAU OF CRIMINAL APPREHENSION

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299C.37 POLICE COMMUNICATION EQUIPMENT; USE, SALE.

Subdivision 1. (a) No person other than peace officers within the state, the members of the state patrol, and persons who hold an amateur radio license issued by the Federal Communications Commission, shall equip any motor vehicle with any radio equipment or combination of equipment, capable of receiving any radio signal, message, or information from any police emergency frequency, or install, use, or possess the equipment in a motor vehicle without permission from the superintendent of the bureau upon a form prescribed by the superintendent. An amateur radio license holder is not entitled to exercise the privilege granted by this paragraph if the license holder has been convicted in this state or elsewhere of a crime of violence, as defined in section 624.712, subdivision 5, unless ten years have elapsed since the person has been restored to civil rights or the sentence has expired, whichever occurs first, and during that time the person has not been convicted of any other crime of violence. For purposes of this section, "crime of violence" includes a crime in another state or jurisdiction that would have been a crime of violence if it had been committed in this state. Radio equipment installed, used, or possessed as permitted by this paragraph must be under the direct control of the license holder whenever it is used.

(b) Except as provided in paragraph (c), any person who is convicted of a violation of this subdivision shall, upon conviction for the first offense, be guilty of a misdemeanor, and for the second and subsequent offenses shall be guilty of a gross misdemeanor.

(c) An amateur radio license holder who exercises the privilege granted by paragraph (a) shall carry the amateur radio license in the motor vehicle at all times and shall present the license to a peace officer on request. A violation of this paragraph is a petty misdemeanor. A second or subsequent violation is a misdemeanor.

[For text of subd 3, see M.S.1986]

History: 1987 c 191 s 1

299C.46 ESTABLISHMENT, USE.

[For text of subds 1 and 2, see M.S.1986]

Subd. 3. The datacommunications network shall be used exclusively by:

(1) criminal justice agencies in connection with the performance of duties required by law;

(2) agencies investigating federal security clearances of individuals for assignment or retention in federal employment with duties related to national security, as required by Public Law Number 99-1691; and

(3) other agencies to the extent necessary to provide for protection of the public or property in an emergency or disaster situation.

The commissioner of public safety shall establish a monthly network access charge to be paid by each participating criminal justice agency. The network access charge shall be a standard fee established for each terminal, computer, or other equipment directly addressable by the criminal justice datacommunications network, as follows: January 1, 1984 to December 31, 1984, \$40 connect fee per month; January 1, 1985 and thereafter, \$50 connect fee per month.

The commissioner of public safety is authorized to arrange for the connection of

the datacommunications network with the criminal justice information system of the federal government, any adjacent state, or Canada.

[For text of subd 4, see M.S.1986]

History: 1987 c 166 s 1

299C.48 CONNECTIONS BY AUTHORIZED AGENCY; STANDING APPROPRIATION.

(a) An agency authorized under section 299C.46, subdivision 3, may connect with and participate in the criminal justice datacommunications network upon approval of the commissioner of public safety; provided, that the agency shall first agree to pay installation charges as may be necessary for connection and monthly operational charges as may be established by the commissioner of public safety. Before participation by a criminal justice agency may be approved, the agency must have executed an agreement with the commissioner providing for security of network facilities and restrictions on access to data supplied to and received through the network.

(b) The installation and monthly operational charges collected by the commissioner of public safety under paragraph (a) are annually appropriated to the commissioner to administer sections 299C.46 to 299C.50.

History: 1987 c 166 s 2; 1987 c 320 s 2