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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **118**

January 15, 2009

Authored by Hosch by request

The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight

1.1 A bill for an act
1.2 relating to occupations and professions; according status of emergency vehicle to
1.3 vehicle operated by protective agent for escorting funeral procession or oversized
1.4 loads; making technical correction; amending Minnesota Statutes 2008, sections
1.5 169.011, subdivision 3; 326.338, subdivision 4.

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

1.7 Section 1. Minnesota Statutes 2008, section 169.011, subdivision 3, is amended to read:

1.8 Subd. 3. **Authorized emergency vehicle.** "Authorized emergency vehicle" means
1.9 any of the following vehicles when equipped and identified according to law:

1.10 (1) a vehicle of a fire department;

1.11 (2) a publicly owned police vehicle or a privately owned vehicle used by a police
1.12 officer for police work under agreement, express or implied, with the local authority to
1.13 which the officer is responsible;

1.14 (3) a vehicle of a licensed land emergency ambulance service, whether publicly
1.15 or privately owned;

1.16 (4) an emergency vehicle of a municipal department or a public service corporation,
1.17 approved by the commissioner of public safety or the chief of police of a municipality;

1.18 (5) any St. Louis County volunteer rescue squad vehicle operating pursuant to
1.19 Laws 1959, chapter 53;

1.20 (6) a vehicle operated by a protective agent while performing traffic control duties
1.21 under section 326.338, subdivision 4, paragraph (a), clause (4); and

1.22 (7) a vehicle designated as an authorized emergency vehicle upon a finding by
1.23 the commissioner of public safety that designation of that vehicle is necessary to the
1.24 preservation of life or property or to the execution of emergency governmental functions.

2.1 Sec. 2. Minnesota Statutes 2008, section 326.338, subdivision 4, is amended to read:

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

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

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

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

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

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

2.17 (b) A person covered by this subdivision may perform the traffic control duties in
2.18 paragraph (a), clause (4), in place of a police officer when a special permit is required,
2.19 provided that the protective agent is first-aid qualified. The vehicle of a protective agent
2.20 is considered an authorized emergency vehicle while performing the duties described in
2.21 paragraph (a), clause (4).