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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH
SESSION

HOUSE FILE No. **1537**

April 18, 2011

Authored by Hosch

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance

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

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

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

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

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

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

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

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

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

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

- 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).