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State of Minnesota

Printed Page No. 127

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 470

01/23/2017 Authored by Cornish and Johnson, B., The bill was read for the first time and referred to the Committee on Public Safety and Security Policy and Finance
03/01/2017 Adoption of Report: Re-referred to the Committee on Ways and Means
03/14/2017 Adoption of Report: Placed on the General Register as Amended Read for the Second Time

1.1 A bill for an act
1.2 relating to public safety; creating the crime of tampering with a public safety motor
1.3 vehicle; establishing criminal penalties; proposing coding for new law in Minnesota
1.4 Statutes, chapter 609.

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

1.6 Section 1. [609.547] PUBLIC SAFETY MOTOR VEHICLE TAMPERING.

1.7 Subdivision 1. Offenses. (a) Whoever intentionally damages or tampers with a public
1.8 safety motor vehicle is guilty of a felony and may be sentenced as provided in subdivision
1.9 2.

1.10 (b) Whoever intentionally damages or tampers with a motor vehicle owned by a public
1.11 safety officer because the motor vehicle belongs to a public safety officer is guilty of a crime
1.12 and may be sentenced as provided in subdivision 2.

1.13 Subd. 2. Penalties. (a) Except as provided in paragraph (c), a person who violates
1.14 subdivision 1, paragraph (a), may be sentenced to imprisonment for not more than five years
1.15 or to payment of a fine of not more than \$10,000, or both.

1.16 (b) Except as provided in paragraph (c), a person who violates subdivision 1, paragraph
1.17 (b), may be sentenced:

1.18 (1) to a gross misdemeanor if the violation reduces the value of the property by not more
1.19 than \$500; or

1.20 (2) to imprisonment for not more than two years or to payment of a fine of not more
1.21 than \$5,000, or both, if the violation:

2.1 (i) reduces the value of the property by more than \$500 but not more than \$1,000 as  
2.2 measured by the cost of repair and replacement; or

2.3 (ii) creates a reasonably foreseeable risk of bodily harm but does not otherwise damage  
2.4 the vehicle.

2.5 (c) A person who violates subdivision 1, paragraph (a) or (b), and the violation causes  
2.6 a substantial interruption or impairment of a service rendered by the public safety agency  
2.7 that owns the motor vehicle or employs the officer who owns the motor vehicle may be  
2.8 sentenced to imprisonment for not more than ten years or to payment of a fine of not more  
2.9 than \$20,000, or both.

2.10 Subd. 3. **Definitions.** (a) As used in this section, the following terms have the meanings  
2.11 given.

2.12 (b) "Public safety motor vehicle" includes:

2.13 (1) police patrols, including specially marked vehicles permitted under section 169.98,  
2.14 subdivision 2a, owned or leased by the state or a political subdivision;

2.15 (2) fire apparatuses, including fire-suppression support vehicles, owned or leased by the  
2.16 state or a political subdivision;

2.17 (3) ambulances owned or leased by the state or a political subdivision;

2.18 (4) vehicles owned by ambulance services licensed under section 144E.10 that are  
2.19 equipped and specifically intended for emergency response or providing ambulance services;  
2.20 and

2.21 (5) marked vehicles used by conservation officers of the Division of Enforcement and  
2.22 Field Service of the Department of Natural Resources.

2.23 (c) "Public safety officer" includes:

2.24 (1) a peace officer as defined in section 626.84, subdivision 1, paragraph (c) or (d);

2.25 (2) an individual employed on a full-time basis by the state or by a fire department of a  
2.26 governmental subdivision of the state, who is engaged in any of the following duties:

2.27 (i) firefighting;

2.28 (ii) emergency motor vehicle operation;

2.29 (iii) the provision of emergency medical services; or

2.30 (iv) hazardous material response;

- 3.1 (3) a legally enrolled member of a volunteer fire department or member of an independent  
3.2 nonprofit firefighting corporation who is engaged in the hazards of firefighting; and
- 3.3 (4) a first responder who is certified by the emergency medical services regulatory board  
3.4 to perform basic emergency skills before the arrival of a licensed ambulance service and  
3.5 who is a member of an organized service recognized by a local political subdivision to  
3.6 respond to medical emergencies to provide initial medical care before the arrival of an  
3.7 ambulance.