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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 147

01/22/2025

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

- 1.1A bill for an act
- 1.2relating to public safety; eliminating the requirement that a vehicle be unoccupied
- 1.3when law enforcement attach a tracking device; authorizing the expanded use of
- 1.4tracking devices for fleeing motor vehicles; amending Minnesota Statutes 2024,
- 1.5section 626A.35, subdivision 2b, by adding a subdivision.
- 1.6BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.7Section 1. Minnesota Statutes 2024, section 626A.35, subdivision 2b, is amended to read:
- 1.8Subd. 2b. **Exception; stolen motor vehicles.** (a) The prohibition under subdivision 1
- 1.9does not apply to the use of a mobile tracking device on a stolen motor vehicle when:
- 1.10(1) the consent of the owner of the vehicle has been obtained; or
- 1.11(2) the owner of the motor vehicle has reported to law enforcement that the vehicle is
- 1.12stolen, ~~and the vehicle is occupied when the tracking device is installed.~~
- 1.13(b) Within 24 hours of a tracking device being attached to a vehicle pursuant to the
- 1.14authority granted in paragraph (a), clause (2), an officer employed by the agency that attached
- 1.15the tracking device to the vehicle must remove the device, disable the device, or obtain a
- 1.16search warrant granting approval to continue to use the device in the investigation.
- 1.17(c) A peace officer employed by the agency that attached a tracking device to a stolen
- 1.18motor vehicle must remove the tracking device if the vehicle is recovered and returned to
- 1.19the owner.
- 1.20(d) Any tracking device evidence collected after the motor vehicle is returned to the
- 1.21owner is inadmissible.

2.1 (e) By August 1, 2024, and each year thereafter, the chief law enforcement officer of an
2.2 agency that obtains a search warrant under paragraph (b), must provide notice to the
2.3 superintendent of the Bureau of Criminal Apprehension of the number of search warrants
2.4 the agency obtained under this subdivision in the preceding 12 months. The superintendent
2.5 must provide a summary of the data received pursuant to this paragraph in the bureau's
2.6 biennial report to the legislature required under section 299C.18.

2.7 Sec. 2. Minnesota Statutes 2024, section 626A.35, is amended by adding a subdivision to
2.8 read:

2.9 Subd. 2c. **Exception; fleeing motor vehicles.** The prohibition under subdivision 1 does
2.10 not apply to the use of a mobile tracking device on a fleeing motor vehicle. For purposes
2.11 of this subdivision, "flee" has the meaning given in section 609.487, subdivision 1.