



Providing nonpartisan legal, research, and fiscal analysis services to the Minnesota Senate

S.F. No. 1786 – Railroad Peace Officers (as amended by the A-1 delete-everything amendment)

Author: Senator Jim Carlson

Prepared by: Chris Turner, Fiscal Analyst (651/296-4350)

Date: March 18, 2024

Section 1, subd. 1 provides that railroad companies that choose to employ railroad peace officers shall appoint a chief law enforcement officer responsible for all peace officers employed by the railroad. The chief must be a Minnesota licensed peace officer. The chief may not exercise peace officer powers until the Peace Officer Standards and Training (POST) Board has either been notified of the applicant's licensure as a Minnesota peace officer, or has approved the candidate's application for a peace officer license.

Subd. 2 provides that after appointing a chief law enforcement officer, a railroad may hire peace officers to aid and supplement law enforcement agencies in the protection of railroad property, and to protect the persons and property of railroad passengers and employees.

Subd. 3 provides that railroads employing railroad peace officers must cooperate with the POST Board regarding peace officer licensure, and comply with the Board's exercise of its regulatory and oversight authority.

Subd. 4 provides that the duties of a railroad chief law enforcement officer are identical to other chief law enforcement officers, including the hiring, supervision and training of officers, maintaining records, and reporting misconduct.

Subd. 5 grants railroad peace officers all powers, privileges and immunities of a licensed peace officer in connection with offenses occurring on railroad property. If a search warrant is obtained by a railroad peace officer, the officer shall notify the chief of police of the municipality or, when applicable, the sheriff of the county in which the warrant is to be executed.

Subd. 6 requires all railroad peace officers be licensed by the POST Board, and states that all railroad peace officers are subject to the provisions applicable to peace officers under chapter 626 and Minnesota Rules, chapter 6700.

Subd. 7 authorizes the POST Board to suspend or revoke the license of the chief law enforcement officer of a railroad company for any reason under the Board's jurisdiction. Upon suspension or revocation, the railroad's law enforcement agency shall be deemed disbanded and the licenses of all peace officers on the agency roster placed on inactive status.

Subd. 8 provides that railroad peace officers shall be compensated by the railroad who employs them, and are not entitled to compensation or benefits provided, or required to be provided, to other peace officers by the state or any political subdivision of the state.

Subd. 9 provides that a railroad company employing railroad peace officers is liable for all acts, errors, and omissions of a railroad peace officer occurring in the course of the officer's employment, and shall indemnify its peace officers for civil damages, penalties, or fines claimed or levied against them.

Subd. 10 provides that nothing in this section shall be construed to limit or restrict the rights, powers or privileges granted to a peace officer in this state who is not a railroad peace officer.

Section 2 adds "railroad peace officer" to the definition of "peace officer" under chapter 626.05, subd. 2.

Section 3 adds "railroad peace officer" to the definition of "peace officer" under chapter 626.84, subd. 1.