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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 686

01/23/2023 Authored by Moller, Novotny, Stephenson, Wolgamott, Witte and others
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy
02/06/2023 Adoption of Report: Re-referred to the Committee on Judiciary Finance and Civil Law

1.1 A bill for an act
1.2 relating to public safety; authorizing the expanded use of tracking devices during
1.3 stolen vehicle investigations; amending Minnesota Statutes 2022, section 626A.35,
1.4 by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2022, section 626A.35, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 2b. Exception; stolen motor vehicles. (a) The prohibition under subdivision 1
1.9 does 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
1.12 stolen, 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
1.14 authority granted in paragraph (a), clause (2), an officer employed by the agency that attached
1.15 the tracking device to the vehicle must remove the device, disable the device, or obtain a
1.16 search 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
1.18 motor vehicle must remove the tracking device if the vehicle is recovered and returned to
1.19 the owner.

1.20 (d) Any tracking device evidence collected after the motor vehicle is returned to the
1.21 owner is inadmissible.

1.22 EFFECTIVE DATE. This section is effective the day following final enactment.