

Subject Providing for railroad peace officers

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Overview

Federal law authorizes railroads to employ peace officers to assist with criminal activity that takes place on the property of a railroad. Investigations of incidents that take place on a railroad often face unique challenges related to jurisdiction and can require technical expertise. Railroad peace officers must coordinate with local officers and cannot investigate matters involving company policies or civil suits. Individual states must approve the existence of railroad peace officers for those officers to have jurisdiction in the state. This bill permits railroads to have peace officers in Minnesota and establishes limits and requirements related to those officers.

Summary

Section	Description
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1	Railroad peace officers.
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Subd. 1. Chief law enforcement officer. Requires a railroad that intends to employ peace officers to appoint a chief law enforcement officer (CLEO) to oversee the peace officers and take responsibility for those officers. Requires a CLEO to be a Minnesota licensed peace officer.

Subd. 2. Railroad; employment of peace officers. Permits a railroad to employ railroad peace officers after appointing a CLEO. Railroad peace officers have the ability to work for the protection of property owned, or in the care or custody, of a railroad and to protect persons and property of railroad passengers and employees.

Subd. 3. Responsibilities of railroad company. Requires a railroad that employs peace officers to cooperate with the Board of Peace Officers Standards and Training (POST board) with respect to the board's authority to oversee peace officer licensing. Such a railroad must respond to requests from the POST board

Section	Description
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and produce any relevant information and data that the board requests. Failure to comply can result in sanctions against the railroad.

Subd. 4. Duties of railroad chief law enforcement officer. Establishes that a railroad CLEO has the same duties and responsibilities as any other CLEO, including supervising officers, ensuring ongoing training, and maintaining records.

Subd. 5. Authority; limitation. Establishes that railroad peace officers have the powers and duties of other peace officers on railroad property. Requires railroad peace officers to coordinate with local peace officers. Prohibits railroads from directing, requiring, or allowing railroad peace officers to investigate violations of a railroad rule, policy, or procedure that are unrelated to a criminal offense or to any incident involving civil litigation. Directs the railroads to update their policies and share those updates with labor organizations. Provides that peace officers who violate the restrictions are subject to discipline as though they violated the peace officer standards of conduct.

Subd. 6. Licensing. Establishes that peace officers employed by a railroad are eligible for licensing as Minnesota peace officers under the same standards as other Minnesota peace officers.

Subd. 7. Immediate suspension of authority. Authorizes the POST board to revoke the license of a railroad peace officer or the railroad CLEO. Establishes that, if the board revokes the license of the CLEO, the other officers must be placed on inactive status or have their licenses revoked. Provides an exception for the license of an officer who is employed by a different law enforcement agency in Minnesota.

Subd. 8. Compensation; benefits; fees. Provides that compensation for railroad peace officers is the responsibility of the railroad.

Subd. 9. Railroad liability. Establishes that liability for actions by railroad peace officers are subject to the privileges and immunities of other peace officers. Establishes that railroads are liable for the actions of railroad peace officers and must indemnify such officers consistent with the indemnification by an employer of other peace officers in the state.

Subd. 10. Construction. Provides that nothing in this section restricts the rights, powers, or privileges granted to peace officers who are not railroad peace officers.

Section	Description
2	Peace officer. Amends the definition of “peace officer” in the sections of law regarding search warrants to include railroad peace officers.
3	Definitions. Defines “railroad peace officer” and amends the definitions of “peace officer” and “law enforcement agency” in the sections of law regarding licensing and related requirements of peace officers to include railroad peace officers.



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