

## HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. **390**

01/23/2017 Authored by Zerwas, Cornish, Franson, McDonald, Johnson, B., and others  
The bill was read for the first time and referred to the Committee on Public Safety and Security Policy and Finance  
02/23/2017 Adoption of Report: Placed on the General Register  
Read for the Second Time  
05/22/2017 Pursuant to Rule 4.20, returned to the Committee on Public Safety and Security Policy and Finance  
03/19/2018 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; increasing penalties for obstructing trunk highway, airport,  
1.3 or transit traffic; amending Minnesota Statutes 2016, sections 609.74; 609.855,  
1.4 subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2016, section 609.74, is amended to read:

1.7 **609.74 PUBLIC NUISANCE.**

1.8 (a) Whoever by an act or failure to perform a legal duty intentionally does any of the  
1.9 following is guilty of maintaining a public nuisance, which is a misdemeanor:

1.10 (1) maintains or permits a condition which unreasonably annoys, injures or endangers  
1.11 the safety, health, morals, comfort, or repose of any considerable number of members of  
1.12 the public; or

1.13 (2) except as provided in paragraph (b), interferes with, obstructs, or renders dangerous  
1.14 for passage, any public highway or right-of-way, or waters used by the public; or

1.15 (3) is guilty of any other act or omission declared by law to be a public nuisance and for  
1.16 which no sentence is specifically provided.

1.17 (b) It is a gross misdemeanor for a person to interfere with or obstruct traffic that is  
1.18 entering, exiting, or on a freeway or entering, exiting, or on a public roadway within the  
1.19 boundaries of airport property with the intent to interfere with, obstruct, or otherwise disrupt  
1.20 traffic. This paragraph does not apply to the actions of law enforcement or other emergency  
1.21 responders, road or airport authorities, or utility officials, or their agents, employees, or  
1.22 contractors when carrying out duties imposed by law or contract. For purposes of this

paragraph: (1) "airport" means an airport that has a control tower and airline service; and  
(2) "freeway" means any section of a divided highway where the only access and egress for  
vehicular traffic is from entrance and exit ramps.

**EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to crimes  
committed on or after that date.

Sec. 2. Minnesota Statutes 2016, section 609.855, subdivision 2, is amended to read:

Subd. 2. **Unlawful interference with transit operator.** (a) Whoever intentionally  
commits an act that interferes with or obstructs, or tends to interfere with or obstruct, the  
operation of a transit vehicle is guilty of ~~unlawful interference with a transit operator~~ a crime  
and may be sentenced as provided in paragraph (c).

(b) An act ~~that is~~ committed on a transit vehicle that distracts the driver from the safe  
operation of the vehicle, restricts passenger access to the transit vehicle, or ~~that~~ endangers  
passengers is a violation of this subdivision if an authorized transit representative has clearly  
warned the person once to stop the act.

(c) A person who violates this subdivision may be sentenced as follows:

(1) to imprisonment for not more than three years or to payment of a fine of not more  
than \$5,000, or both, if the violation was accompanied by force or violence or a  
communication of a threat of force or violence; or

(2) to imprisonment for not more than ~~90 days~~ one year or to payment of a fine of not  
more than ~~\$1,000~~ \$3,000, or both, if the violation was not accompanied by force or violence  
or a communication of a threat of force or violence.

**EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to crimes  
committed on or after that date.