

**PART IV**  
**REGULATORY AND DEVELOPMENT FUNCTIONS OF COUNTIES**

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**CHAPTER 13: PUBLIC SAFETY**

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# 1. Public safety

County government has a responsibility to protect its residents. A county may do this by regulation (adopting the building code for example) and by providing services (enforcing the building code and providing assistance to builders).

This chapter deals with a number of public safety issues, including:

- I. Law enforcement**
- II. Community Corrections**
- III. Building inspection**
- IV. Emergency management**
- V. Emergency vehicles**
- VI. Ambulance Services**
- VII. Hospitals**
- VIII. Public Health Department**

## I. Law enforcement

[Minn. Stat. § 382.01](#)

Visit the [Minnesota Sheriffs' Association](#) web site for more information.

[Minn. Stat. § 382.03](#)

State laws require every county to have a sheriff, which is one of the county offices established by statute.

The sheriff is responsible for keeping and preserving the peace of the county, and may hire personnel to achieve that duty.

### A. Liability

See Handbook, ch. 18

The liability of a county for the conduct of a peace officer is the same as the liability for the conduct of any other employee, although the nature of peace officers' duties makes lawsuits against counties based on their actions more likely. For more detail on liability, see chapter 18.

## B. Uniform and vehicle colors

[Minn. Stat. § 626.88 subd. 1\(a\)\(3\)](#) (uniforms).

[Minn. Stat. § 169.98 subd. 2\(b\)](#) (vehicles).

State law sets the colors allowed for sheriff's department uniforms. Uniforms must be predominantly blue, brown or green. Sheriff's department motor vehicles used in patrol must be predominantly brown or white. The vehicle must display, in letters at least two-and-a-half inches tall, the governmental unit's identity on both front-door panels and on the rear of the vehicle. Each vehicle must have its own identifying number on the rear of the vehicle.

## C. Licensing

[Minn. Stat. §§ 626.84 to 626.863](#) (POST licensing).

[Minn. Stat. § 169.98](#) (vehicle stop authority). For more information, visit the [POST](#) web site.

Both full- and part-time peace officers (including officers in the Sheriff's department) must have licenses from the Peace Officers Standards and Training Board (POST). It is a misdemeanor for non-licensed individuals to perform certain police duties, such as patrolling or stopping vehicles in a marked police vehicle or issuing citations.

## D. Part-time peace officers and reserve officers

[Minn. Stat. § 626.8468](#).

State law limits the use of part-time police officers. A law enforcement agency that employed a licensed part-time peace officer that was in the process of training an individual to become a licensed part-time peace officer on Feb. 1, 1999, may continue to do so. No county may employ more part-time police officers than it employed in calendar year 1996, 1997 or 1998. The POST board may issue additional part-time peace officer licenses to a law enforcement agency that employs a part-time peace officer and that demonstrates to the board an extraordinary and temporary need for the additional license. Part-time peace offices must meet special requirements of the POST Board.

[Minn. Stat. § 626.84, subd. 1g](#).

State law authorizes reserve officers. Law enforcement agencies use reserve officers for supplementary assistance at special events, traffic or crowd control, and administrative or clerical assistance. A reserve officer's duties do not include enforcement of the general criminal laws of the state, and the officer does not have full powers of arrest or authorization to carry a firearm on duty. Reserve officers have the same powers of arrest as a citizen. They do not have the authority as private citizens to investigate beyond their direct observations of an offense; however, they can make a lawful citizen's arrest.

*State, Lake Minnetonka Conservation District v. Horner*, 617 N.W.2d 789 (Minn. 2000) .

## E. Intergovernmental cooperation

[Minn. Stat. § 436.05.](#)

The sheriff of any county may contract to furnish police service to any city. Contracts should clearly set forth all terms of the agreement, such as compensation, supervision, and assumption of liability. The law gives county sheriffs the authority to request assistance from the police officers of any city. This does not, however, authorize the sheriff to acquire additional personnel by calling in city police department personnel on a continuous basis.

## F. Sale of firearms

[Minn. Stat. § 609.5313.](#)

Law enforcement agencies can sell firearms, ammunition, and accessories to federally licensed firearms dealers or use them for law enforcement purposes. The proceeds are distributed 70 percent to the law enforcement agency, 20 percent to the county attorney, and 10 percent to the state.

# II. Community Corrections

[Minn. Stat. § 401.01](#)

Participating counties are eligible to receive support from the commissioner of corrections for community-based corrections programs. These include:

- preventive or diversionary correctional programs;
- conditional release programs;
- community corrections centers; and
- facilities for the detention or confinement, care and treatment of persons convicted of crime or adjudicated delinquent.

[Minn. Stat. § 401.02](#)

To participate, a county or group of counties must enact resolutions creating and establishing a corrections advisory board, designating the officer or agency to be responsible for administering grant funds, and providing for the preparation of a comprehensive plan for the development, implementation and operation of the correctional services. Each county or group of counties must have a combined population of at least 30,000. So far, there are 32 “CCA Counties”—counties which have elected to implement the Community Corrections Act.

[MN Association of  
Community Corrections  
Act Counties \(MACCAC\)  
membership](#)

[Minn. Stat. § 401.08](#)

The corrections advisory board is advisory to the county board(s) of the CCA County, and participates in the formulation of the comprehensive plan. It must consist of at least nine members, representative of law enforcement, prosecution, the judiciary, education, corrections, ethnic minorities, the social services, and the lay citizen.

[Minn. Stat. § 401.16](#)

Any participating county may, by resolution, notify the commissioner of its intention to withdraw from the program. Notification must be made at the beginning of a quarter for withdrawal at the end of that quarter.

[Minn. Stat. § 401.10](#)

Funding for CCA Counties is based on a complex formula which takes the following factors into account:

- percent of the total state population aged ten to 24 in the county;
- percent of the statewide total number of felony case filings occurring within the county;
- percent of the total juvenile case filings occurring within the county;
- percent of the total gross misdemeanor case filings occurring within the county;
- percent of the total number of convicted felony offenders who did not receive an executed prison sentence;
- *adjusted net tax capacity percent*, as defined for cities in the statutes on local government aid ([Minn. Stat. § 477A.011](#)); and
- the base aid amount that the county received for fiscal year 1995;

## G. Comprehensive plan

[Minn. R. 2905.0400](#)

A comprehensive plan must be submitted for a county to begin participating in the program, and updated each year. The initial plan, and plans each fourth year after that, must be in a “long format.” In other years, they may be in a “short format.”

Formats and requirements for the comprehensive plan are provided by the Department of Corrections.

### 1. Long format

The long format must include:

- A description of the community framework, including demographics, the economy, crime rates, etc.
- Administration and organization of the CCA, including the following:
  - Vision and Mission
  - Organization Chart
  - Department Budget and FTEs by Program Area
  - Advisory Board
  - Staff Training
  - Volunteers
  - Research and Evaluation Efforts
  - Signed Board Resolution
  - Salary Roster
- Program descriptions for juvenile probation, adult probation, contract services and grants, and related services (family court services, domestic relations, and psychological services). Program descriptions must include:
  - Description of the services
  - Volume of client activity

- Descriptions of juvenile and adult probation must also include:
  - Risk/Needs Assessment
  - Diversion/Prevention
  - Field Services
  - Institutions
  - Out-of-Home Placements
- A Strategic Plan, including the major goals and objectives of the Department for the next 2-5 years.
- Outcome measurement, with the eventual goal of measuring these outcomes:
  - Community safety
  - Restoring the crime victim
  - Community restoration
  - Developing offender competencies and assisting offenders to change

A number of indicators to be used in operationalizing these outcomes are suggested in the Department of Corrections' guide for comprehensive plans.

- An annual progress report, with the most current outcome measurement data and an update on progress on the goals and objectives identified in the strategic plan. The strategic goals/objectives and outcomes shall be tied together whenever possible.

## **2. Short format**

The short format must include

- Administration and organization of the CCA, including the following:
  - Organization Chart
  - Department Budget and FTEs by Program Area
  - Salary Roster
- Program descriptions, only if there are changes in services/programming from the previous year's plan.
- An annual progress report, with the most current outcome measurement data and an update on progress on the goals and objectives identified in the strategic plan. The strategic goals/objectives and outcomes shall be tied together whenever possible.

## **H. Pretrial diversion programs**

[Minn. Stat. § 401.065](#)

A pretrial diversion program is one in which criminal charges against the offender will be dismissed, or the case will not be charged, if the offender successfully completes the program. All CCA Counties must operate a pretrial diversion program.

A diversion program may do some or all of the following:

- provide screening services to the court and the prosecuting authorities to help identify likely candidates for pretrial diversion;
- establish goals for diverted offenders and monitor performance;
- perform chemical dependency assessments of diverted offenders, make referrals for treatment, and monitor treatment and aftercare;
- provide individual, group, and family counseling services;
- oversee the payment of victim restitution by diverted offenders;
- assist diverted offenders in identifying and contacting appropriate community resources; and
- provide educational services to diverted offenders to enable them to earn a high school diploma or GED;

Counties must make biennial reports on the status of participants in the pretrial diversion program.

## 1. Parole and probation

[Minn. R. 2905.0900](#)

Each county participating under the act must provide service to all interstate and intrastate probation, parole, and supervised release clients.

[Minn. Stat. § 401.02](#)

County probation officers may require a person committed to the officer's care by the court to perform community work service for violating a condition of probation imposed by the court.

[Minn. Stat. § 401.025 subd. 1](#)

When it appears necessary to enforce discipline or to prevent a person on conditional release from escaping from supervision, the chief executive officer of a community corrections agency may direct any peace officer or probation officer to detain and bring the person before the court or the commissioner for disposition.

## III. Building inspection

[Minn. Stat. § 16B.62](#) renumbered as Minn. Stat. § 326B.121. See [2007 Minn. Laws, ch. 140, art. 4, § 7](#).

The state building code applies statewide, and supersedes and replaces the building code of any local government. In other words, the state building code is now the building code of every city, county, and urban town that has adopted a building code.

[Minn. Stat. § 16B.62](#) renumbered as Minn. Stat. § 326B.121. See [2007 Minn. Laws, ch. 140, art. 4, § 7](#).

A county may, with the approval of the state building official, adopt an ordinance that is more restrictive than the State Building Code where geological conditions warrant a more restrictive ordinance. A county may appeal the disapproval of a more restrictive ordinance to the commissioner.

[Minn. Stat. § 16B.72](#) renumbered as Minn. Stat. § 326B.121. See [2007 Minn. Laws, ch. 140, art. 4, § 7.](#)

[Minn. Stat. § 16B.73](#) renumbered as Minn. Stat. § 326B.157. See [2007 Minn. Laws, ch. 140, art. 4, § 7.](#)

[Minn. Stat. § 16B.72](#) renumbered as Minn. Stat. § 326B.121. See [2007 Minn. Laws, ch. 140, art. 4, § 7.](#)

[A.G. Op. 125a \(Oct. 18, 2001\).](#)

[Minn. Stat. § 16B.65 subd. 4.](#)

[Minn. Stat. § 16B.685](#) renumbered as Minn. Stat. § 326B.145. See [2007 Minn. Laws, ch. 140, art. 4, § 7.](#)

[Minn. Stat. § 16B.63, subd. 5](#) renumbered as Minn. Stat. § 326B.127. See [2007 Minn. Laws, ch. 140, art. 4, § 7.](#) [2007 Minn. Laws, ch. 40 amending Minn. Stat. § 16B.61, subd. 3b.](#)

[Minn. Stat. § 16B.62, subd. 1](#) renumbered as Minn. Stat. § 326B.121. See [2007 Minn. Laws, ch. 140, art. 4, § 7.](#)

The building code is mandatory in the seven-county metropolitan area. Citizens in non-metropolitan counties residing outside of cities that have adopted the state building code prior to Jan. 1, 1977, may vote to reject the state building code. However, requirements regarding accessibility, elevator safety, and bleacher safety apply statewide, with no exception.

The county board may, on its own motion, or must, if it receives a petition signed by at least 5 percent of those voting in the last general election, submit to the voters at a regular or special election the question of adopting the building code. If a majority of voters oppose adopting the building code, it does not apply in the county, outside of cities or towns that adopted the building code prior to Jan. 1, 1977.

The question on the ballot must be stated substantially as follows: “Shall the State Building Code be adopted in ..... County?”

Even if there was a referendum at which the question of adopting the building code was rejected, a county board can still adopt the building code by ordinance.

Counties shall designate a building official, who may issue permits, inspect buildings, and enforce the code within the county’s jurisdiction by whatever means are convenient.

Counties that collect over \$5,000 per year in “construction and development-related fees” from “developers, builders, and subcontractors” must file a report with the Building Codes and Standards Division of the Minnesota Department of Labor and Industry by June 30 of each year.

The state building official, under the jurisdiction of the Department of Labor and Industry, has final interpretative authority relating to all component codes of the state building code except the plumbing code and electrical code. The 2007 Legislature enacted laws requiring that the commissioner of labor and industry adopt rules for radon control for all new residential buildings as part of the State Building Code.

A county may not adopt an ordinance or include a provision in a development agreement that is different from a comparable provision of the state building code, except that it may enact a stricter ordinance where warranted by local geological conditions.

Minn. Stat. § 16B.61, subd. 1, renumbered as Minn. Stat. § 326B.106. See 2007 Minn. Laws, ch. 140, art. 4, § 7.

Minn. Stat. § 16B.70 renumbered as Minn. Stat. § 326B.148. See 2007 Minn. Laws, ch. 140, art. 4, § 7.

Minn. R. 1302.0600.

Minn. Stat. § 16B.62, subd. 2 renumbered as Minn. Stat. § 326B.121. See 2007 Minn. Laws, ch. 140, art. 4, § 7.

Minn. Stat. § 16B.65, subd. 3, renumbered as Minn. Stat. § 326B.133. See 2007 Minn. Laws, ch. 140, art. 4, § 7.

Minn. Stat. § 16B.655.

Minn. Stat. § 16B.65 renumbered as Minn. Stat. § 326B.133. See 2007 Minn. Laws, ch. 140, art. 4, § 7.

*City of Hutchinson v. Otto*, 306 Minn. 136, 235 N.W.2d 604 (1975).

The state building official develops rules governing plan review fees assessed by a county for the review of buildings. A further state surcharge is imposed on all permits issued by municipalities in connection with the construction of, or addition or alteration to, buildings and equipment. Building permit and surcharge fees are calculated in accordance with the formulas contained in Minnesota Rules part 1302.0600.

If the commissioner of the Department of Labor and Industry determines a county is not properly administering and enforcing the state building code, the commissioner may have the state building inspector or a licensed inspector enforce the code.

County building officials must qualify through examination or by documenting successful completion of certain training programs. Building officials must satisfactorily complete a state-prescribed program of continuing education every three years to retain their certification.

The local building *official* either makes inspections, or hires construction code inspectors. Effective Jan. 1, 2008, all construction code *inspectors* hired on or after Jan. 1, 2008, shall, within one year of hire, be in compliance with competency criteria currently being developed by the commissioner of labor and industry. (Construction code inspectors mean building inspectors, mechanical inspectors, plumbing inspectors, and combination inspectors under the supervision of the building official.) Note: A person holding current certification as a building *official* is exempt from this section.

A building official may refuse to issue a permit unless the person seeking the permit submits detailed plans of the proposed construction. If a person disagrees with the inspection results, s/he may appeal the building official's result to the commissioner within 30 days of the decision for a final review.

[Minn. Stat. § 16B.735](#) renumbered as Minn. Stat. § 326B.16. See [2007 Minn. Laws, ch. 140, art. 4, § 7](#).

[Minn. Stat. § 16B.61, subd. 5](#) renumbered as Minn. Stat. § 326B.106. See [2007 Minn. Laws, ch. 140, art. 4, § 7](#).

[Minn. Stat. § 326.243](#) renumbered as Minn. Stat. § 326B.35 See [2007 Minn. Laws, ch. 140, art. 4, § 7](#).

[2007 Minn. Laws, ch. 140, art. 6, § 4](#) *amending* [Minn. Stat. § 326.37](#). [Minn. R. 4715.3130](#).

[Minn. Stat. §§ 327.31 - 327.36](#).

[Minn. Stat. § 327.32 subd. 7](#).

[Minn. Stat. § 394.25, subd. 3](#).

[A.G. Op. 59A-31 \(Nov. 10, 1982\)](#).

[2007 Minn. Laws, ch. 140, art. 4, § 25](#) *amending* [Minn. Stat. § 16B.747](#).

[Minn. Stat. § 16B.616](#) renumbered as Minn. Stat. § 326B.112. See [2007 Minn. Laws, ch. 140, art. 4, § 7](#).

For more information, visit the [FEMA](#) web site.

Counties that have not adopted the state building code must enforce the building code requirement for people with disabilities by either entering into a joint powers agreement for enforcement or contracting for enforcement with a certified individual.

In addition, the electric and plumbing codes are mandatory independent from the building code. Counties may enter into agreement with the state to enforce the state plumbing code, if the county meets extensive state requirements in state law and rules.

## I. Manufactured homes

A separate code exists for manufactured (mobile) homes. All jurisdictions enforcing the state building code must administer and enforce the rules concerning manufactured home installation. Local ordinances regulating mobile homes in effect on April 1, 1981, also apply to manufactured homes and manufactured home courts. Counties may regulate the placement of manufactured homes on residential lots and the location of manufactured home courts although they may not completely prohibit them from residential districts.

## J. Elevators

Counties may conduct elevator inspections and issue permits for elevators that comply with the state building code. Counties may establish and retain fees for inspections and for issuing annual operating permits for elevators in the county.

All counties, whether or not they have adopted the state building code, must have bleachers certified under the Minnesota Safety Act. Counties must send a certificate of compliance for each set of bleachers that are covered to the Department of Labor and Industry, Building Code & Standards Division.

The Federal Emergency Management Agency (FEMA) has a rule that provides that cost sharing is directly tied to the existence of adequate building codes during a disaster declaration.

## IV. Emergency management

### K. National Incident Management System (NIMS)

[Minn. Stat. ch. 115E](#)

[Executive Order 05-02](#)

Established by state law in 1991, NIMS is a statewide system to prepare for and manage emergency situations that may occur from accidental spilling of hazardous waste.

In 2005, the governor issued executive orders that established the Minnesota NIMS as the Incident Command System (ICS) required by the federal Homeland Security Emergency Management Act. Note: If a county does not adopt NIMS as its emergency management system, it will not be eligible for various federal funds.

Both the state and federal emergency management systems seek to build coordination, cooperation, and communication between personnel at all levels of government even in an unanticipated crisis.

### L. Homeland Security and Emergency Management (HSEM)

[See NIMS Incident Command System Elements Implementation in Minnesota](#)

HSEM incorporates NIMS and requires ongoing training of personnel in 10 different areas, including but not limited to: law enforcement personnel, fire service personnel, public works personnel, emergency medical services personnel, and public safety communications personnel.

The complexity of federal and state emergency management laws means that this area is subject to change. Careful practice suggests continual monitoring of NIMS ICS responsibilities to ensure that your county is up to date.

### M. State emergency management

[Minn. Stat. § 12.25, subd. 2](#)

[Minn. Stat. § 12.25, subd. 1](#)

[Minnesota Department of Public Safety Local Emergency Management Organization and Sample County/City Ordinance.](#)

In addition to federal emergency management responsibilities, under the *state* emergency management plan, each county must have a local organization for emergency management. Each county emergency management organization must have a director and one or more deputy directors appointed by the board. The director has responsibility for the organization, the administration and operation of the county's emergency management organization, subject to board direction.

[Minn. Stat. § 12.25, subd. 2](#)

A county organization for emergency management has jurisdiction throughout the county outside of a city or of a town that has its own local emergency management organization. It should plan for the emergency operations of county government with the legal advice of the county attorney, and with the cooperation of other appropriate county government officials and private sector representatives.

In addition to its direct jurisdiction outside cities and towns with emergency management organizations, the county organization has the authority to coordinate the activities of political subdivisions throughout the county. The county organization may also assist in the training of the emergency management organizations of political subdivisions throughout the county.

[Minn. Stat. § 12.29.](#)

[Minn. Stat. § 12.03.](#)

See Chapter 23, Section VII for information on emergency contracts.

The chair of the county board may declare a local emergency in certain circumstances. An emergency is an unforeseen combination of circumstances that calls for immediate action to prevent a disaster from developing or occurring. When the chair declares a local emergency, the local emergency management organization goes into active operation.

For more information, visit the [Department of Public Safety](#) web site and the [FEMA](#) web site.

When an emergency occurs, the emergency manager should contact the Minnesota Department of Public Safety's Division of Homeland Security and Emergency Management (HSEM), which will assign a person to coordinate the county's needs with available people and resources. Federal Emergency Management Agency (FEMA) assistance is also available.

In the case of an emergency in a city or town, the emergency manager of the city or town will contact the emergency management coordinator in the county, who will then contact HSEM.

[Minn. Stat. § 12.37.](#)

When the chair declares an emergency, the board is empowered to enter into contracts and incur obligations necessary to combat the disaster by protecting the health and safety of persons and property - and to provide emergency assistance to the victims of the disaster. In an emergency, the board can do this without compliance with time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, the entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, and the appropriation and expenditure of public funds.

[Minn. Stat. § 12.331.](#)

In an emergency, local governments often come to each other's aid. The law authorizing inter-local disaster assistance establishes a scheme for handling liability, workers' compensation, and equipment damage.

[Minn. Stat. § 12.25, subd. 5](#)

Two or more political subdivisions may also enter into an agreement establishing a common emergency management organization.

## **N. 911 emergency telephone systems**

[Minn. Stat. ch. 403.](#)

Every county must operate a 911 emergency telephone system. The system receives emergency service request calls at a central office, provides automatic location identification, and dispatches appropriate emergency service personnel and equipment.

Minn. Stat. § 403.025  
subd. 2.

These systems may be multi-jurisdictional and regional in character, provided that they are planned cooperatively, county by county, with local public safety agencies. The cost of the systems is shared between the state, local governments, and other eligible users.

2007 Minn. Laws, ch. 54,  
art 8 § 6 *amending* Minn.  
Stat. § 403.31, subd. 1.

Minn. Stat. § 403.03.

Services that must be available through this 911 system include police, firefighting, and emergency medical and ambulance services. Emergency management services may be part of the system, at the discretion of the agency operating the central answering offices.

## V. Emergency vehicles

Minn. Stat. § 169.17.

Speed limits do not apply to an authorized emergency vehicle when responding to an emergency. Drivers of all emergency vehicles must sound an audible signal by siren *and* display at least one lighted red light to the front. Law enforcement vehicles or medical emergency vehicles must sound an audible signal by siren *or* display at least one lighted red light to the front. This provision does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of persons using the street. Neither does it protect the driver of an authorized emergency vehicle from the consequences of a reckless disregard of the safety of others.

Minn. Stat. § 626.8458.

Eight hours of pursuit training is required for all peace officers who may be involved in a police pursuit. Each law enforcement agency is required to have a written pursuit policy that meets the criteria specified in the law.

*Kari v. City of Maplewood*, 582 N.W.2d 921 (Minn. Aug. 27, 1998). See also *Nelson v. Wrecker Services, Inc.*, 622 N.W.2d 399 (Minn. Ct. App. 2001).

The drivers of emergency vehicles are protected by the legal doctrine of official immunity from suit for discretionary actions taken in the course of their official duties. This doctrine has protected the drivers of emergency vehicles from liability, *when using sirens and lights properly*, when they failed to yield the right-of-way to pedestrians and caused injury. In the case of police officers, this doctrine has protected them from liability for damages caused in high-speed chases. This doctrine may not protect police officers who engage in non-discretionary decisions or malicious misconduct, however.

*Pletan v. Gaines*, 494 N.W.2d 38 (Minn. 1992). See also, *Mumm v. Mornson*, 708 N.W.2d 475 (Minn. Jan 10, 2006)

## VI. Ambulance service

Minn. Stat. § 471.476.

Counties have authority to provide general ambulance services. They must, however, have a valid license from the commissioner of the Department of Health in order to operate life support transportation services. State regulations include requirements for drivers and attendants of life support vehicles. Counties may purchase, rent or lease ambulances and related equipment and supplies.

Minn. Stat. § 604A.0.

*Bailey v. City of St. Paul*,  
678 N.W.2d 697 (Minn.  
Ct. App. 2004)

See Handbook, ch. 18

The Good Samaritan Act offers some protection against malpractice by ambulance service volunteers. Consider malpractice insurance for ambulance crews. Also, ambulance crews are protected by the legal doctrine of official immunity when performing official duties and providing emergency medical services.

Minn. Stat. § 471.345,  
subd. 10.

Ambulance services are authorized to participate in shared service purchasing arrangements for materials, supplies, and equipment without using the competitive bidding process. Shared ambulance purchasing programs may also award contracts to more than one bidder if doing so does not decrease the service level or diminish the effects of competition.

Minn. Stat. ch. 144E.

The Emergency Medical Services Regulatory Board grants licenses to ambulance services. The Board defines the primary service areas under which it designates each licensed ambulance as serving a primary service area or areas. The Board licenses all ambulance services provided in the state, including those provided by cities and counties. State law establishes many requirements that ambulance services must meet in order to be licensed. However, cities and counties may, if the Board approves, establish additional standards for ambulance services within their boundaries.

The Minnesota Department of Health requires all drivers of ambulances to complete training in emergency driving techniques.

## VII. Hospitals

Minn. Stat. § 376.01.

Minn. Stat. § 376.02;  
Minn. Stat. § 475.52.

Counties are authorized to provide hospitals. Any county building or operating a hospital may pay for it out of its general fund, or may issue bonds.

Minn. Stat. § 376.04.

The question of purchasing and constructing hospital buildings shall be submitted to the voters of any county at a general election and placed upon a separate ballot. The ballot must be in the following form:

"For the purchase and construction of hospital buildings, including equipment, to be located at ..... (state location), at a cost not more than ..... (state amount), pursuant to the resolution of the board of county commissioners passed ..... (state date).

Yes.....

No.....

Minn. Stat. § 376.009.

The county board of any county that has not established a county hospital may by resolution authorize a city in the county and its city council to exercise the powers of a county in establishing a hospital. The Joint Powers Act also allows for a joint city-county hospital.

Minn. Stat. § 471.59

Minn. Stat. § 471.345,  
subd. 10

County hospitals are authorized to participate in shared service purchasing arrangements for materials, supplies, and equipment without using the competitive bidding process. Shared hospital purchasing programs may also award contracts to more than one bidder if doing so does not decrease the service level or diminish the effects of competition.

## VIII. Public health department

[Minn. Stat. ch. 145.](#)

[Minn. Stat. ch. 145A.](#)

The state has transferred all the powers and duties of local boards of health to community health boards and has pre-empted local health boards. Exceptions to this pre-emption include certain pre-existing health departments in first and second class cities that operate a community health services program within a county of 300,000 or more population, those operating under a joint-powers agreement or delegation authority, and certain cities receiving specific subsidies under state law.

[Minn. Stat. § 145A.09](#)

A community health board must include within its jurisdiction a population of 30,000 or more persons or be composed of three or more contiguous counties. The powers and duties of a community health board, as explained below, must be assigned to the human services board in any county that has one.

A community health board has the following powers and duties:

[Minn. Stat. § 145A.10](#)  
[subd. 5a](#)

- establish local public health priorities based on an assessment of community health needs and assets;
- determine how to address the local public health priorities and achieve the statewide outcomes established under [Minn. Stat. §§ 145.8821 and 145A.12, subdivision 7](#);
- submit an annual report to the commissioner of public health detailing progress toward meeting both local and statewide health priorities; and
- establish a multidisciplinary approach to targeted home visiting for families (if receiving funding under this section).

[Minn. Stat. § 145A.17](#)

[Minn. Stat. § 145A.10](#)  
[subd. 1](#)

The community health board also has the powers and duties of a board of health prescribed in [Minn. Stat. §§ 145A.03, 145A.04, 145A.07, and 145A.08](#):

[Minn. Stat. § 145A.04](#)

- employ a medical consultant;
- acquire property for health-related purposes through gifts, purchase, lease, or transfer of custodial control;
- make investigations and reports and obey instructions on the control of communicable diseases as directed by the commissioner of public health; and
- enforce public health laws through inspection and require the removal or abatement of public health nuisances.

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