

1 **PROTECTION OF ACTIVITIES IN PRIVATE VEHICLES**

2 2014 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Curtis Oda**

5 Senate Sponsor: Mark B. Madsen

7 **LONG TITLE**

8 **General Description:**

9 This bill amends Title 34, Chapter 45, Protection of Activities in Private Vehicles.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ provides that alternative parking for an individual who desires to transport, possess,
13 receive, transfer, or store a firearm in the individual's motor vehicle may not be
14 located on a public right-of-way; and

15 ▶ makes technical and conforming changes.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 **AMENDS:**

22 **34-45-103**, as enacted by Laws of Utah 2009, Chapter 379

24 *Be it enacted by the Legislature of the state of Utah:*

25 Section 1. Section **34-45-103** is amended to read:

26 **34-45-103. Protection of certain activities -- Firearms -- Free exercise of religion.**

27 (1) Except as provided in Subsection (2), a person may not establish, maintain, or



28 enforce any policy or rule that has the effect of:

29 (a) prohibiting any individual from transporting or storing a firearm in a motor vehicle
30 on any property designated for motor vehicle parking, if:

31 (i) the individual is legally permitted to transport, possess, purchase, receive, transfer,
32 or store the firearm;

33 (ii) the firearm is locked securely in the motor vehicle or in a locked container attached
34 to the motor vehicle while the motor vehicle is not occupied; and

35 (iii) the firearm is not in plain view from the outside of the motor vehicle; or

36 (b) prohibiting any individual from possessing any item in or on a motor vehicle on any
37 property designated for motor vehicle parking, if the effect of the policy or rule constitutes a
38 substantial burden on that individual's free exercise of religion.

39 (2) A person may establish, maintain, or enforce a policy or rule that has the effect of
40 placing limitations on or prohibiting an individual from transporting or storing a firearm in a
41 motor vehicle on property the person has designated for motor vehicle parking if:

42 (a) the person provides, or there is otherwise available, one of the following, in a
43 location reasonably proximate to the property the person has designated for motor vehicle
44 parking:

45 (i) alternative parking for [~~individuals who desire~~] an individual who desires to
46 transport, possess, receive, transfer, or store a firearm in the individual's motor vehicle [at] that:

47 (A) imposes no additional cost [~~to~~] on the individual; [~~or~~] and

48 (B) is ~~H→~~ [not located on a public right-of-way, including a street, highway, avenue,
49 boulevard, parkway, road, lane, alley, or bridge] in a location that is legal and

49a safe for parking ←H ; or

50 (ii) a secured and monitored storage location where the individual may securely store a
51 firearm before proceeding with the vehicle into the secured parking area; or

52 (b) the person complies with Subsection 34-45-107(5).

Legislative Review Note

as of 1-31-14 12:16 PM

Office of Legislative Research and General Counsel