

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

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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

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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 in a location that is legal and safe for parking; or

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

51 (b) the person complies with Subsection [34-45-107\(5\)](#).