

1                   **PROTECTION OF ACTIVITIES IN PRIVATE VEHICLES**

2                                   2014 GENERAL SESSION

3                                   STATE OF UTAH

4                           **Chief Sponsor: Curtis Oda**

5                           Senate Sponsor: \_\_\_\_\_

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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 ~~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**