

State of Misconsin 2005 - 2006 LEGISLATURE

LRB-3999/1 MGD:kjf:rs

## **2005 SENATE BILL 464**

December 5, 2005 – Introduced by Senators Brown, A. LASEE, BRESKE, DECKER, GROTHMAN and REYNOLDS, cosponsored by Representatives GUNDERSON, SUDER, GRONEMUS, HAHN, HINES, JENSEN, KRAWCZYK, F. LASEE, LOTHIAN, MURSAU, MUSSER, BOYLE, NASS, PETTIS, PETROWSKI, VAN ROY and M. WILLIAMS. Referred to Committee on Judiciary, Corrections and Privacy.

1 AN ACT to create 167.31 (4) (bt) of the statutes; relating to: authorizing a person 2 to transport an unencased firearm in a motor vehicle under certain 3 circumstances.

## Analysis by the Legislative Reference Bureau

In general, current law prohibits placing, possessing, or transporting a firearm in or on a vehicle unless the firearm is unloaded and completely enclosed in a case that is made for the purpose of storing a firearm. A person who violates this prohibition is subject to a forfeiture of not more than \$100. Current law contains a number of exceptions to this prohibition, including several that relate to hunting.

This bill creates a new exception to this prohibition. Under the bill, the prohibition does not apply if: 1) the firearm is unloaded; 2) the vehicle is a self-propelled motor vehicle with four rubber-tired wheels; 3) the vehicle is not certified by the manufacturer for on-road use; 4) the vehicle is not an all-terrain vehicle; 5) the vehicle is being used to transport individuals involved in sport shooting activities at sport shooting ranges and is not being used to transport individuals involved in hunting; and 6) the vehicle is being operated entirely on private property and is not being operated in the right-of-way of any highway.

## The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

## **SENATE BILL 464**

1	<b>SECTION 1.</b> 167.31 (4) (bt) of the statutes is created to read:
2	167.31 (4) (bt) Subsection $(2)$ (b) does not apply to the placement, possession,
3	or transportation of an unloaded firearm in or on a vehicle if all of the following apply:
4	1. The vehicle is a self-propelled motor vehicle with 4 rubber-tired wheels.
5	2. The vehicle is not certified by the manufacturer for on-road use.
6	3. The vehicle is not an all-terrain vehicle, as defined in s. $340.01$ (2) (g).
7	4. The vehicle is being used to transport individuals involved in sport shooting
8	activities at sport shooting ranges, as defined in s. 895.527 (1), and is not being used
9	to transport individuals involved in hunting.
10	5. The vehicle is being operated entirely on private property and is not being
11	operated in the right-of-way of any highway.
12	(END)

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