

Legislative Analysis



ALLOW TRANSPORTATION OF FIREARMS IN VEHICLES ON PRIVATE PROPERTY

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4331 as referred to second committee

Sponsor: Rep. Beau Matthew LaFave

1st Committee: Military, Veterans and Homeland Security

2nd Committee: Judiciary

Complete to 5-14-19

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4331 would amend the Natural Resources and Environmental Protection Act (NREPA) to allow an individual to transport or possess a loaded firearm in or on a vehicle under certain circumstances.

Currently, an individual is generally prohibited from transporting or possessing a firearm in or on a vehicle, unless the firearm is unloaded and enclosed in a case, unloaded and carried in the trunk of a vehicle, or unloaded in a motorized boat. A violation is a misdemeanor punishable by imprisonment for up to 90 days and/or a \$50 to \$500 fine, as well as payment of the costs of prosecution and the revocation of any permit issued under Part 401 (Wildlife Conservation) of NREPA.

The bill would add an exception to the above prohibition to allow an individual to transport or possess a loaded firearm in or on any vehicle, including an **ATV** or a **UTV**, but only on private land and only if the individual is, or is accompanied by or has the permission of, either of the following:

- The owner of the private land.
- The lessee of the private land for a term not less than one year.

ATV would mean a vehicle with three or more wheels that is designed for off-road use, has low-pressure tires, has a seat designed to be straddled by the rider, and is powered by a 50cc to 1,000cc gasoline engine or an engine of comparable size using other fuels.

UTV would mean a vehicle with four wheels that is designed for off-road use, has low-pressure tires, has a side-by-side seating arrangement with bench or bucket seating for each rider, and is powered by a 50cc to 1,000cc gasoline engine or an engine of comparable size using other fuels.

MCL 324.40111

FISCAL IMPACT:

House Bill 4331 would have an indeterminate fiscal impact on the state and on local units of government. Depending on the number of people who would no longer be charged with a misdemeanor under provisions of the bill, the bill could result in reduced costs for the

state and for local units of government. Fewer individuals sentenced to jail or community sanctions would result in reduced costs related to county jails and/or local misdemeanor probation supervision. Costs of local incarceration in county jails and local misdemeanor probation supervision, and how those costs are financed, vary by jurisdiction. The fiscal impact on the judiciary and local court systems would depend on how provisions of the bill affected caseloads and related administrative costs. Any reduction in penal fine revenue would decrease funding for local libraries, which are the constitutionally designated recipients of those revenues.

The bill would not affect costs or revenues for the Department of Natural Resources or local governments.

POSITIONS:

Representatives of the following entities testified in support of the bill (4-30-19):

- Freedom Firearms and Calhoun County Gun Owners Association
- Great Lakes Gun Rights
- Michigan Open Carry

The following entities indicated support for the bill (4-30-19):

- National Rifle Association
- Military Order of the Purple Heart

Representatives of the following entities testified in opposition to the bill (5-7-19):

- Department of Natural Resources
- Michigan United Conservation Clubs

Legislative Analyst: E. Best
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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.