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SENATE BILL NO. 496

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Second Joint Conference Committee
on March 14, 2026)

(Patron Prior to Substitute—Senator Marsden)

A *BILL to amend the Code of Virginia by adding a section numbered 18.2-308.7:1, relating to handguns in unattended motor vehicles.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-308.7:1 as follows:

§ 18.2-308.7:1. Firearm in unattended motor vehicle; penalty.

A. *For purposes of this section:*

"Handgun" means any pistol or revolver or other firearm originally designed, made, and intended to fire single or multiple projectiles by means of an explosion of a combustible material from one or more barrels when held in one hand.

"Vehicle" has the same meaning as ascribed to "motor vehicle" in § 46.2-364. A "boat" is considered a vehicle and is defined as any vessel or other watercraft, privately owned, whether moved by oars, paddles, sails, or other power mechanism, inboard or outboard, or any other vessel or structure floating on water in the Commonwealth, whether or not capable of self-locomotion, including cruisers, cabin cruisers, runabouts, houseboats, and barges. However, bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, motorized skateboards or scooters, and mopeds are not vehicles. A vehicle is considered to be unattended if (i) such vehicle is left unattended (a) on a public highway or other public property or (b) any parking area, lot, or structure intended for commercial or retail use, including such parking areas, lots, or structures exclusively reserved and used by commercial or retail employees, and (ii) the owner, operator, or any passenger of such motor vehicle is unable to observe such motor vehicle.

B. No person shall knowingly leave a handgun in an unattended vehicle or trunk unless such handgun is placed out of plain view in a locked hard-sided container, including a locked container that is affixed to the vehicle's interior by steel cable, bolt, or welding. A locked container affixed to the vehicle's interior includes a locked glove compartment or a locked center console. Any person who violates this section is guilty of a Class 4 misdemeanor.

C. The provisions of this section shall not apply to (i) the storage of any antique firearm as defined in § 18.2-308.2:2, (ii) a law-enforcement officer as defined in § 9.1-101, or (iii) a person who reports the theft or loss of a firearm to a law-enforcement agency as provided in § 18.2-287.5.

SENATE SUBSTITUTE

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