

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

4 [S 496]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

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

8 **§ 18.2-308.7:1. Firearm in unattended motor vehicle; penalty.**

9 *A. For purposes of this section:*

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

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

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

28 *C. The provisions of this section shall not apply to (i) the storage of any antique firearm as defined in*
 29 *§ 18.2-308.2:2, (ii) a law-enforcement officer as defined in § 9.1-101, or (iii) a person who reports the theft*
 30 *or loss of a firearm to a law-enforcement agency as provided in § 18.2-287.5.*

ENROLLED

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