

# HOUSE BILL No. 5818

September 17, 2014, Introduced by Reps. Pettalia, Rendon, Potvin, Johnson, Schmidt, Bumstead, Somerville, Franz, VerHeulen, Outman, Kivela and Dianda and referred to the Committee on Natural Resources.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111 (MCL 324.40111), as amended by 2012 PA 340.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 40111. (1) Except as otherwise provided in subsection (3)  
2 or (4), this part, or in a department order authorized under  
3 section 40107, an individual shall not take an animal from in or  
4 upon a vehicle.

5           (2) Except as otherwise provided in subsection (3) or (4),  
6 this part, or in a department order authorized under section 40107,  
7 an individual shall not transport or possess a firearm in or upon a  
8 vehicle, unless the firearm is unloaded in both barrel and magazine  
9 and enclosed in a case, carried in the trunk of a vehicle, or

1 unloaded in a motorized boat.

2 (3) A person with a disability may transport or possess a  
3 firearm in or upon a vehicle, except for a car or truck, on a state  
4 licensed game bird hunting preserve if the firearm is unloaded and  
5 the vehicle is operated at a speed of not greater than 10 miles per  
6 hour. A person with a disability may possess a loaded firearm and  
7 may discharge that firearm to take an animal from in or upon a  
8 vehicle, except for a car or truck, on a state licensed game bird  
9 hunting preserve if the vehicle is not moving. The department may  
10 demand proof of eligibility under this subsection. An individual  
11 shall possess proof of his or her eligibility under this subsection  
12 and furnish the proof upon the request of a peace officer.

13 (4) An individual may transport or possess an unloaded firearm  
14 in or upon a vehicle on a sporting clays range.

15 (5) Except as otherwise provided in this part, an individual  
16 shall not transport or possess a bow in or upon a vehicle, unless  
17 the bow is unstrung, enclosed in a case, or carried in the trunk of  
18 a vehicle.

19 (6) An individual shall not hunt, ~~or discharge a firearm~~ **AS**  
20 **THAT TERM IS DEFINED IN SECTION 43505**, within 150 yards of an  
21 occupied building, dwelling, house, residence, or cabin, or any  
22 barn or other building used in connection with a farm operation,  
23 without obtaining the written permission of the owner, renter, or  
24 occupant of the property.

25 (7) As used in this section:

26 (a) "Person with a disability" means a disabled person as that  
27 term is defined in section 19a of the Michigan vehicle code, 1949

1 PA 300, MCL 257.19a, and who is in possession of 1 of the  
2 following:

3 (i) A certificate of identification or windshield placard  
4 issued to a disabled person under section 675 of the Michigan  
5 vehicle code, 1949 PA 300, MCL 257.675.

6 (ii) A special registration plate issued to a disabled person  
7 under section 803d of the Michigan vehicle code, 1949 PA 300, MCL  
8 257.803d.

9 (b) "Unloaded" means, for a break-action firearm, that the  
10 action is open with the breech exposed, whether or not the breech  
11 contains a shell. Unloaded means, for a non-break-action firearm,  
12 that the barrel of the firearm does not contain a shell.