Act No. 82
Public Acts of 2002
Approved by the Governor
March 25, 2002
Filed with the Secretary of State
March 26, 2002
EFFECTIVE DATE: March 26, 2002

STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2002

Introduced by Reps. Vear, Tabor, Gosselin, Bradstreet, Drolet, Rocca, DeVuyst, Howell, Raczkowski, DeRossett, Sanborn, Richardville, Patterson, Jelinek, Bishop, Vander Veen, Ehardt, Stewart, Gilbert, Kuipers, Vander Roest, Hager and Meyer

ENROLLED HOUSE BILL No. 5026

AN ACT to amend 1931 PA 328, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 231a (MCL 750.231a).

The People of the State of Michigan enact:

Sec. 231a. (1) Subsection (2) of section 227 does not apply to any of the following:

(a) To a person holding a valid license to carry a pistol concealed upon his or her person issued by his or her state of residence except where the pistol is carried in nonconformance with a restriction appearing on the license.

(b) To the regular and ordinary transportation of pistols as merchandise by an authorized agent of a person licensed to manufacture firearms.

(c) To a person carrying an antique firearm as defined in subsection (2), completely unloaded in a closed case or container designed for the storage of firearms in the trunk of a vehicle.

(d) To a person while transporting a pistol for a lawful purpose that is licensed by the owner or occupant of the motor vehicle in compliance with section 2 of 1927 PA 372, MCL 28.422, and the pistol is unloaded in a closed case designed for the storage of firearms in the trunk of the vehicle.

(e) To a person while transporting a pistol for a lawful purpose that is licensed by the owner or occupant of the motor vehicle in compliance with section 2 of 1927 PA 372, MCL 28.422, and the pistol is unloaded in a closed case designed for the storage of firearms in a vehicle that does not have a trunk and is not readily accessible to the occupants of the vehicle.

(2) As used in this section:

(a) "Antique firearm" means either of the following:

(*i*) A firearm not designed or redesigned for using rimfire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, including a matchlock, flintlock, percussion cap, or similar type of ignition system or replica of such a firearm, whether actually manufactured before or after 1898.

(*ii*) A firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

(b) "Lawful purpose" includes the following:

(*i*) While en route to or from a hunting or target shooting area.

(*ii*) While transporting a pistol en route to or from his or her home or place of business and place of repair.

(*iii*) While moving goods from 1 place of abode or business to another place of abode or business.

(*iv*) While transporting a licensed pistol en route to or from a law enforcement agency for the purpose of having a safety inspection performed on the pistol as is required by section 9 of 1927 PA 372, MCL 28.429, or for the purpose of having a law enforcement official take possession of the weapon.

(*v*) While en route to or from his or her abode or place of business and a gun show or places of purchase or sale.

(*vi*) While en route to or from his or her abode to a public shooting facility or public land where discharge of firearms is permitted by law, rule, regulation, or local ordinance.

(*vii*) While en route to or from his or her abode to a private property location where the pistol is to be used as is permitted by law, rule, regulation, or local ordinance.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved

Governor.