

JAN 20 2023

A BILL FOR AN ACT

RELATING TO FIREARMS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 134-5, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) A person may carry unconcealed and use a lawfully
4 acquired pistol or revolver while actually engaged in hunting
5 game mammals, if that pistol or revolver and its suitable
6 ammunition are acceptable for hunting by rules adopted pursuant
7 to section 183D-3 and if that person is licensed pursuant to
8 part II of chapter 183D. The pistol or revolver may be
9 transported [~~in an enclosed container, as defined in~~] in a
10 manner provided by section 134-25 in the course of going to and
11 from the place of the hunt, notwithstanding section 134-26."

12 SECTION 2. Section 134-23, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "[~~§~~§134-23[~~§~~] **Place to keep loaded firearms other than**
15 **pistols and revolvers; penalty.** (a) Except as provided in
16 section 134-5, all firearms shall be confined to the possessor's
17 place of business, residence, or sojourn; provided that, except



1 as required by subsection (b), it shall be lawful to carry
2 unloaded firearms in an enclosed container from the place of
3 purchase to the purchaser's place of business, residence, or
4 sojourn, or between these places upon change of place of
5 business, residence, or sojourn, or between these places and the
6 following:

- 7 (1) A place of repair;
- 8 (2) A target range;
- 9 (3) A licensed dealer's place of business;
- 10 (4) An organized, scheduled firearms show or exhibit;
- 11 (5) A place of formal hunter or firearm use training or
12 instruction; or
- 13 (6) A police station.

14 (b) If any person is carrying an unloaded firearm between
15 the places allowed by subsection (a) in a motor vehicle, the
16 firearm shall be located so as not to be readily or directly
17 accessible from the passenger compartment of the vehicle or, if
18 the firearm is being carried in a motor vehicle that does not
19 have a compartment separate from the passenger compartment, the
20 firearm shall be kept in an enclosed container that is locked,



1 other than the glove compartment or console, and not in plain
2 view.

3 (c) As used in this section:

4 "Enclosed container" means a rigidly constructed
5 receptacle, or a commercially manufactured gun case, or the
6 equivalent thereof that completely encloses the firearm.

7 "Passenger compartment" means the area of a motor vehicle
8 designed and intended for the seating of the driver and
9 passengers.

10 [~~b~~] (d) Any person violating this section by carrying or
11 possessing a loaded firearm other than a pistol or revolver
12 shall be guilty of a class B felony."

13 SECTION 3. Section 134-24, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "~~{}~~§134-24~~{}~~ **Place to keep unloaded firearms other than**
16 **pistols and revolvers; penalty.** (a) Except as provided in
17 section 134-5, all firearms shall be confined to the possessor's
18 place of business, residence, or sojourn; provided that, except
19 as required by subsection (b), it shall be lawful to carry
20 unloaded firearms in an enclosed container from the place of
21 purchase to the purchaser's place of business, residence, or



1 sojourn, or between these places upon change of place of
2 business, residence, or sojourn, or between these places and the
3 following:

- 4 (1) A place of repair;
- 5 (2) A target range;
- 6 (3) A licensed dealer's place of business;
- 7 (4) An organized, scheduled firearms show or exhibit;
- 8 (5) A place of formal hunter or firearm use training or
9 instruction; or
- 10 (6) A police station.

11 (b) If any person is carrying an unloaded firearm between
12 the places allowed by subsection (a) in a motor vehicle, the
13 firearm shall be located so as not to be readily or directly
14 accessible from the passenger compartment of the vehicle or, if
15 the firearm is being carried in a motor vehicle that does not
16 have a compartment separate from the passenger compartment, the
17 firearm shall be kept in an enclosed container that is locked,
18 other than the glove compartment or console, and not in plain
19 view.

20 (c) As used in this section:



1 "Enclosed container" means a rigidly constructed
2 receptacle, or a commercially manufactured gun case, or the
3 equivalent thereof that completely encloses the firearm.

4 "Passenger compartment" means the area of a motor vehicle
5 designed and intended for the seating of the driver and
6 passengers.

7 [~~b~~] (d) Any person violating this section by carrying or
8 possessing an unloaded firearm other than a pistol or revolver
9 shall be guilty of a class C felony."

10 SECTION 4. Section 134-25, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "[+]§134-25[+] **Place to keep pistol or revolver; penalty.**

13 (a) Except as provided in sections 134-5 and 134-9, all
14 firearms shall be confined to the possessor's place of business,
15 residence, or sojourn; provided that, except as required by
16 subsection (b), it shall be lawful to carry unloaded firearms in
17 an enclosed container from the place of purchase to the
18 purchaser's place of business, residence, or sojourn, or between
19 these places upon change of place of business, residence, or
20 sojourn, or between these places and the following:

21 (1) A place of repair;



- 1 (2) A target range;
- 2 (3) A licensed dealer's place of business;
- 3 (4) An organized, scheduled firearms show or exhibit;
- 4 (5) A place of formal hunter or firearm use training or
- 5 instruction; or
- 6 (6) A police station.

7 (b) If any person is carrying an unloaded firearm between
8 the places allowed by subsection (a) in a motor vehicle, the
9 firearm shall be located so as not to be readily or directly
10 accessible from the passenger compartment of the vehicle or, if
11 the firearm is being carried in a motor vehicle that does not
12 have a compartment separate from the passenger compartment, the
13 firearm shall be kept in an enclosed container that is locked,
14 other than the glove compartment or console, and not in plain
15 view.

16 (c) As used in this section:

17 "Enclosed container" means a rigidly constructed
18 receptacle, or a commercially manufactured gun case, or the
19 equivalent thereof that completely encloses the firearm.



S.B. NO. 1000

Report Title:

Firearms; Place to Keep; Motor Vehicles

Description:

Requires any person carrying an unloaded firearm in a motor vehicle to locate the firearm so as not to be readily or directly accessible from the passenger compartment of the vehicle or, if the firearm is being carried in a motor vehicle that does not have a compartment separate from the passenger compartment, to keep the firearm in an enclosed container that is locked, other than the glove compartment or console, and not in plain view.

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