
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2243 Session of
2014

INTRODUCED BY PYLE, MAY 5, 2014

REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 5, 2014

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in powers of department and local authorities,
3 further providing for control of public travel on private
4 property by owner by adding provisions relating to firearms
5 in motor vehicles.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 6113 of Title 75 of the Pennsylvania
9 Consolidated Statutes is amended by adding subsections to read:

10 § 6113. Control of public travel on private property by owner.

11 * * *

12 (c) Firearms in motor vehicles.--

13 (1) A business entity, property owner or legal possessor
14 or public or private employer may not establish, maintain or
15 enforce a policy or rule that prohibits or has the effect of
16 prohibiting a person from transporting or storing a firearm
17 in a motor vehicle when the vehicle is in a location where it
18 is otherwise permitted to be and;

19 (i) the firearm remains inside the person's
20 attended, privately owned motor vehicle; or

1 (ii) the firearm is locked out of sight within the
2 trunk, glove box or other enclosed compartment or
3 container within or on the person's privately owned motor
4 vehicle.

5 (2) (i) A person who is injured or incurs damages as a
6 result of a violation of paragraph (1), or his survivors,
7 may bring a civil action in the appropriate court against
8 any business entity, owner or legal possessor of property
9 or public or private employer who committed or caused the
10 violation.

11 (ii) A person who is denied the opportunity to
12 transport or store a firearm by a policy or rule
13 prohibited by paragraph (1) may bring a civil action in
14 the appropriate court to enjoin any business entity,
15 owner or legal possessor of property or public or private
16 employer from violating paragraph (1).

17 (iii) In any actions brought pursuant to this
18 subsection, reasonable attorney fees and court costs
19 shall be awarded to the prevailing plaintiff.

20 (3) An employee discharged by a public or private
21 employer for a violation of a policy or rule prohibited by
22 paragraph (1) shall be awarded full recovery as specified in
23 paragraph (1). If the demand for the recovery has not been
24 satisfied within 45 calendar days, the employee may bring
25 civil action in the appropriate court against the public or
26 private employer and shall be awarded the following:

27 (i) Reinstatement to the same position held at the
28 time of his or her termination from employment or to an
29 equivalent position.

30 (ii) Reinstatement of the employee's full fringe

1 benefits and seniority rights.

2 (iii) Compensation for lost wages, benefits or other
3 lost remuneration caused by the termination.

4 (iv) Payment of reasonable attorney fees and court
5 costs incurred.

6 (4) No business entity, owner or legal possessor of
7 property or public or private employer shall be held liable
8 in any civil action for damages, injuries or death resulting
9 from or arising out of another person's actions involving a
10 firearm transported or stored pursuant to paragraph (1),
11 including the theft of a firearm from an employee's or
12 invitee's automobile, unless the business entity, owner or
13 legal possessor of property or public or private employer
14 intentionally solicited or procured such other person's
15 injurious actions.

16 (5) The prohibitions in paragraph (1) shall not apply
17 if:

18 (i) the motor vehicle is on the grounds of an owner-
19 occupied, single-family detached residence or a tenant-
20 occupied single-family detached residence;

21 (ii) the motor vehicle is on property where the
22 possession of firearms is expressly prohibited by Federal
23 or State law;

24 (iii) the business entity, owner or legal possessor
25 of property or public or private employer reasonably
26 believes that the person illegally possesses the firearm,
27 provided that a belief based on a mistake of law shall
28 not be considered reasonable for purposes of this
29 section; or

30 (iv) the person is an employee operating an

1 employer-owned motor vehicle during and in the course of
2 the employee's duties on behalf of the employer.

3 (6) It is the intent of this subsection to reinforce and
4 protect the right of each citizen to lawfully transport and
5 store firearms within his private motor vehicle for lawful
6 purposes in any place where the vehicle is otherwise
7 permitted to be. This subsection is to be liberally construed
8 to enable this purpose.

9 (d) Definitions.--As used in this section, the following
10 words and phrases shall have the meanings given to them in this
11 subsection unless the context clearly indicates otherwise:

12 "Motor vehicle." Any automobile, truck, minivan, sports
13 utility vehicle, motorcycle, motor scooter or any other vehicle
14 required to be registered under Pennsylvania law.

15 "Firearm." The term shall have the same meaning given to it
16 in 18 Pa.C.S. § 6105(f)(4)(iii) (relating to persons not to
17 possess, use, manufacture, control, sell or transfer firearms).

18 Section 2. This act shall take effect in 60 days.