

S-3/16/99 Judiciary  
S-3/24/99 Do Pass

MAR 1 1999

Place On Calendar

414

HOUSE FILE  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 132)

Passed House, <sup>(P.687)</sup> Date 3-16-99 Passed Senate, Date <sup>(P.1143)</sup> 4/15/99  
Vote: Ayes 91 Nays 4 Vote: Ayes 41 Nays 6  
~~Approved~~ Retracted 5-11-99

A BILL FOR

1 An Act relating to carrying a gun in or on a vehicle on a public  
2 highway.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 414

1 Section 1. Section 483A.36, Code 1999, is amended to read  
2 as follows:

3 483A.36 MANNER OF CONVEYANCE.

4 1. No A person, except as permitted by law, shall not have  
5 or carry a gun in or on a vehicle on a public highway, unless  
6 the gun is taken down or totally contained in a securely  
7 fastened case, and its barrels and magazines are unloaded.

8 2. If a detachable magazine is loaded with ammunition, but  
9 is detached from a gun that is otherwise unloaded, the gun  
10 shall be considered unloaded for purposes of this section.

11 Sec. 2. Section 724.4, subsection 4, Code 1999, is amended  
12 by adding the following new paragraph:

13 NEW PARAGRAPH. 1. A person who carries a gun in or on a  
14 vehicle on a public highway in compliance with section  
15 483A.36.

16 EXPLANATION

17 This bill provides that a person who carries an unloaded  
18 gun and a loaded, detached magazine for the gun while in or on  
19 a public highway is considered to be carrying an unloaded gun.  
20 Code section 483A.35 defines "gun" as every kind of gun or  
21 rifle, except a revolver or pistol, and includes those  
22 provided with pistol mountings which are designed to shoot  
23 cartridges.

24 A corresponding amendment is made to Code section 724.4 to  
25 provide that such carrying shall also not be considered to be  
26 illegally carrying or transporting a weapon under Code chapter  
27 724.

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THOMAS J. VILSACK  
GOVERNOR

**OFFICE OF THE GOVERNOR**  
STATE CAPITOL  
DES MOINES, IOWA 50319  
515 281-5211  
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SALLY J. PEDERSON  
LT. GOVERNOR

May 11, 1999

MAY 12 1999

LEGISLATIVE SERVICE  
DIVISION

The Honorable Chester Culver  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

House File 414, an act relating to carrying a gun in or on a vehicle on a public highway is hereby disapproved.

State law currently requires guns to be "taken down" or securely encased when in a vehicle on a highway. There can be no ammunition in the firing chamber or magazine. This is for safety reasons to prevent accidental discharges, and to prevent "stop and go" hunting. HF 414 would allow a person to have an uncased gun with no live round in the firing chamber, in a vehicle, and a loaded magazine detached from the gun, and be legal. There are two problems with this:

First, this is a very unsafe practice, especially if there are children or young adults in the vehicle. To have an uncased gun, with a loaded magazine detached but readily available, is an accident waiting to happen. Young minds and young hands are often experimental; and they are just one step away from inserting a live round into the firing chamber. Statistics show that one of the leading causes of preventable death among young children is from firearms, and I do not intend to let those statistics be increased in Iowa. And, while the greatest danger probably presents itself with young people, adults may also assemble the magazine with the gun while still in the vehicle, and again, an accident is but one step away.

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Secondly, this bill does not promote good sportsmanship in taking of animals, as it makes unsportsmanlike "stop and go" hunting easier. This is offensive to many outdoors people.

HF 414 would make a change for the worse in firearms safety regulation . The good conduct issue aside, firearms should continue to be either securely encased or "taken down" so the shooter has to get out of the vehicle, safely uncase or assemble the gun, and then proceed with hunting. Current state law greatly reduces the safety problem, for both hunters and passengers, and has been a major reason that accidental discharge within a vehicle has not been a bigger problem in Iowa over the years.

For the above reasons, I hereby respectfully disapprove House File 414.

Sincerely,



Thomas J. Vilsack  
Governor

TJV:jmc

cc: Secretary of the Senate  
Chief Clerk of the House

*Vetred*

AN ACT

RELATING TO CARRYING A GUN IN OR ON A VEHICLE ON A PUBLIC HIGHWAY.

NEW PARAGRAPH. 1. A person who carries a gun in or on a vehicle on a public highway in compliance with section 483A.36.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 483A.36, Code 1999, is amended to read as follows:

\_\_\_\_\_  
RON J. CORBETT  
Speaker of the House

483A.36 MANNER OF CONVEYANCE.

1. No a person, except as permitted by law, shall not have or carry a gun in or on a vehicle on a public highway, unless the gun is taken down or totally contained in a securely fastened case, and its barrels and magazines are unloaded.

\_\_\_\_\_  
MARY E. KRAMER  
President of the Senate

2. If a detachable magazine is loaded with ammunition, but is detached from a gun that is otherwise unloaded, the gun shall be considered unloaded for purposes of this section.

I hereby certify that this bill originated in the House and is known as House File 414, Seventy-eighth General Assembly.

Sec. 2. Section 724.4, subsection 4, Code 1999, is amended by adding the following new paragraph:

\_\_\_\_\_  
ELIZABETH ISAACSON  
Chief Clerk of the House

*Vetred*  
Approved 5/11/99 1999

\_\_\_\_\_  
THOMAS J. VILSACK  
Governor

HF 414