

LEGISLATIVE DIGEST
Amended - 01/21/2016

[Police Code - Storage of Firearms in Motor Vehicles]

Ordinance amending the Police Code to prohibit any person from placing, storing, or leaving a firearm in an unattended motor vehicle unless it is in a lock box or in the locked trunk of the motor vehicle.

Existing Law

Currently, there is no law that requires any person that leaves their firearm in an unattended motor vehicle to store it in a lock box or in the locked trunk of the motor vehicle.

Amendments to Current Law

This legislation would prohibit any person from placing, storing, or leaving a firearm in an unattended motor vehicle unless the firearm is stored:

- (1) in a locked Trunk of a Motor Vehicle, provided that the automatic Trunk release in the main cabin of the Motor Vehicle is disabled; or
- (2) in a Lock Box that is permanently affixed to the Trunk of a Motor Vehicle, provided that the Lock Box is locked; or
- (3) for Motor Vehicles with four or more wheels and lacking a Trunk, in a Lock Box that is permanently affixed to the Motor Vehicle and underneath a seat, or covered, or otherwise outside the view of the public, provided that the Lock Box is locked; or
- (4) for Motor Vehicles with fewer than four wheels, in a Lock Box that is permanently affixed to the Motor Vehicle, provided that the Lock Box is locked.

This legislation is intended to apply to all motor vehicles within the City and County of San Francisco, except for on-duty peace officers employed by jurisdictions other than the City and County of San Francisco or to federal officers or military personnel who are acting within the scope of their authority and discharging their official duties.

Every violation of this legislation will constitute a misdemeanor and will be punishable by a fine not to exceed \$10,000 or by imprisonment in the county jail not to exceed six months, or by both.

Public Safety and Neighborhood Services Committee Amendments

On January 21, 2016, the Public Safety and Neighborhood Services Committee amended the Ordinance to exempt peace officer employed by the City provided that the officer's employing

department has a policy regulating the storage of firearms for both on and off duty conduct by the officer.

On November 19, 2015, the Public Safety and Neighborhood Services Committee expanded the scope of the ordinance to cover all firearms left in an unattended vehicle.

Background Information

On September 29, 2015, Supervisor Campos introduced legislation that prohibits City and County of San Francisco peace officers from placing, storing, or leaving a City issued firearm in an unattended vehicle unless it is in a locked container or in the locked trunk of the vehicle.

n:\legana\as2016\1600132\01076576.docx