

**AMENDMENT TO H.R. 2406, AS REPORTED
OFFERED BY MR. GRIFFITH OF VIRGINIA**

Add at the end the following:

1 **TITLE** **XVII—INTERSTATE**
2 **TRANSPORTATION OF FIRE-**
3 **ARMS OR AMMUNITION**

4 **SEC. 1701. INTERSTATE TRANSPORTATION OF FIREARMS**
5 **OR AMMUNITION.**

6 (a) IN GENERAL.—Section 926A of title 18, United
7 States Code, is amended to read as follows:

8 **“§ 926A. Interstate transportation of firearms or am-**
9 **munication**

10 “(a) Notwithstanding any provision of any law, rule,
11 or regulation of a State or any political subdivision there-
12 of:

13 “(1) A person who is not prohibited by this
14 chapter from possessing, transporting, shipping, or
15 receiving a firearm or ammunition shall be entitled
16 to transport a firearm for any lawful purpose from
17 any place where the person may lawfully possess,
18 carry, or transport the firearm to any other such
19 place if, during the transportation, the firearm is
20 unloaded, and—

1 “(A) if the transportation is by motor vehi-
2 cle, the firearm is not directly accessible from
3 the passenger compartment of the vehicle, and,
4 if the vehicle is without a compartment separate
5 from the passenger compartment, the firearm is
6 in a locked container other than the glove com-
7 partment or console, or is secured by a secure
8 gun storage or safety device; or

9 “(B) if the transportation is by other
10 means, the firearm is in a locked container or
11 secured by a secure gun storage or safety de-
12 vice.

13 “(2) A person who is not prohibited by this
14 chapter from possessing, transporting, shipping, or
15 receiving a firearm or ammunition shall be entitled
16 to transport ammunition for any lawful purpose
17 from any place where the person may lawfully pos-
18 sess, carry, or transport the ammunition, to any
19 other such place if, during the transportation, the
20 ammunition is not loaded into a firearm, and—

21 “(A) if the transportation is by motor vehi-
22 cle, the ammunition is not directly accessible
23 from the passenger compartment of the vehicle,
24 and, if the vehicle is without a compartment
25 separate from the passenger compartment, the

1 ammunition is in a locked container other than
2 the glove compartment or console; or

3 “(B) if the transportation is by other
4 means, the ammunition is in a locked container.

5 “(b) In subsection (a), the term ‘transport’ includes
6 staying in temporary lodging overnight, stopping for food,
7 fuel, vehicle maintenance, an emergency, medical treat-
8 ment, and any other activity incidental to the transport,
9 but does not include transportation—

10 “(1) with the intent to commit a crime punish-
11 able by imprisonment for a term exceeding one year
12 that involves the use or threatened use of force
13 against another; or

14 “(2) with knowledge, or reasonable cause to be-
15 lieve, that such a crime is to be committed in the
16 course of, or arising from, the transportation.

17 “(c)(1) A person who is transporting a firearm or
18 ammunition may not be arrested or otherwise detained for
19 violation of any law or any rule or regulation of a State
20 or any political subdivision thereof related to the posses-
21 sion, transportation, or carrying of firearms, unless there
22 is probable cause to believe that the person is doing so
23 in a manner not provided for in subsection (a).

24 “(2) When a person asserts this section as a defense
25 in a criminal proceeding, the prosecution shall bear the

1 burden of proving, beyond a reasonable doubt, that the
2 conduct of the person did not satisfy the conditions set
3 forth in subsection (a).

4 “(3) When a person successfully asserts this section
5 as a defense in a criminal proceeding, the court shall
6 award the prevailing defendant a reasonable attorney’s
7 fee.

8 “(d)(1) A person who is deprived of any right, privi-
9 lege, or immunity secured by this section, section 926B
10 or 926C, under color of any statute, ordinance, regulation,
11 custom, or usage of any State or any political subdivision
12 thereof, may bring an action in any appropriate court
13 against any other person, including a State or political
14 subdivision thereof, who causes the person to be subject
15 to the deprivation, for damages and other appropriate re-
16 lief.

17 “(2) The court shall award a plaintiff prevailing in
18 an action brought under paragraph (1) damages and such
19 other relief as the court deems appropriate, including a
20 reasonable attorney’s fee.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 for such chapter is amended in the item relating to section
23 926A by striking “firearms” and inserting “firearms or
24 ammunition”.

