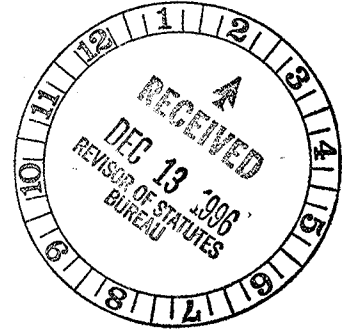


CERTIFICATE

**STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING**



TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Marlene A. Cummings, Secretary, Wisconsin Department of Regulation and Licensing and custodian of the official records of the Department of Regulation and Licensing, hereby certify that the annexed rules were duly approved and adopted by the Department of Regulation and Licensing on the 13th day of December, 1996.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at 1400 East Washington Avenue, Madison, Wisconsin this 13th day of December, 1996.

**Marlene A. Cummings, Secretary
Department of Regulation and
Licensing**

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF RULE-MAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	DEPARTMENT OF REGULATION
DEPARTMENT OF REGULATION	:	AND LICENSING ADOPTING RULES
AND LICENSING	:	(CLEARINGHOUSE RULE 96-130)

ORDER

An order of the Department of Regulation and Licensing to amend RL 34.01 (title) and (1) (intro.); and to create RL 34.01 (1) (fm) and 34.011 relating to conditions for transporting firearms in vehicles by private security persons.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 227.11 (2) and 440.26, Stats., and s. 167.31 (4) (a) 4, Stats., as created by 1995 Wisconsin Act 122.

Statutes interpreted: s. 167.31 (4) (a) 4, Stats.

This proposed rule-making order amends and creates rules as directed in s. 167.31 (4) (a) 4., Stats., as created by 1995 Wisconsin Act 122. These proposed rules define "in plain view" to mean that a handgun, if transported in a vehicle, must be carried in a holster and be visible from ordinary observation to a person outside the vehicle. A firearm, if other than a handgun, must also be in plain view to others and must be transported in a device inside the vehicle which locks the firearm in position and prevents an unauthorized person from removing the firearm from the locking device.

TEXT OF RULE

SECTION 1. RL 34.01 (1) (fm) is created to read:

RL 34.01 (1) (fm) The owner or employe is on duty.

SECTION 2. RL 34.01 (title) and (1) (intro.) are amended to read:

RL 34.01 (title) GENERAL CONDITIONS RELATING TO CARRYING A FIREARM.
(1) (intro.) No owner or employe of an agency may carry on, about or near their person any firearm ~~while on duty~~, unless all of the following apply:

SECTION 3. RL 34.011 is created to read:

RL 34.011 CONDITIONS RELATING TO TRANSPORTING A FIREARM IN A VEHICLE. No owner or employe of an agency may transport a firearm in a vehicle, unless all of the following apply:

(1) The firearm is in plain view. In this section "in plain view" means it is visible from ordinary observation to a person outside the vehicle.

Note: A firearm located in a glove compartment, in a briefcase, under a seat of a vehicle, or covered by the clothing of an occupant, is not "in plain view."

(2) If the firearm is a handgun, the owner or employe transports the firearm in a holster which is in plain view.

(3) If the firearm is other than a handgun, the owner or employe transports the firearm in a device inside the vehicle which locks the firearm in position and prevents an unauthorized person from removing the firearm from the locking device and which is in plain view.

(4) The owner or employe complies with the requirements in s. RL 34.01.

(END OF TEXT OF RULE)

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register pursuant to s. 227.22 (2) (intro.), Stats.

Dated 12/13/96 Agency Marlene A. Cummings
Marlene A. Cummings, Secretary
Department of Regulation and Licensing



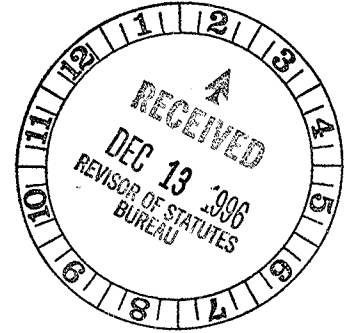
State of Wisconsin
DEPARTMENT OF REGULATION AND LICENSING
CORRESPONDENCE/MEMORANDUM

DATE: December 13, 1996

TO: Gary Poulson
Assistant Revisor of Statutes

FROM: Pamela A. Haack, Rules Center Coordinator
Department of Regulation and Licensing
Office of Administrative Rules

SUBJECT: Final Order Adopting Rules



Agency: DEPARTMENT OF REGULATION AND LICENSING

Clearinghouse Rule 96-130

Attached is a copy and a certified copy of a final order adopting rules. Would you please publish these rules in the register.

Please stamp or sign a copy of this letter to acknowledge receipt.

Thank you.