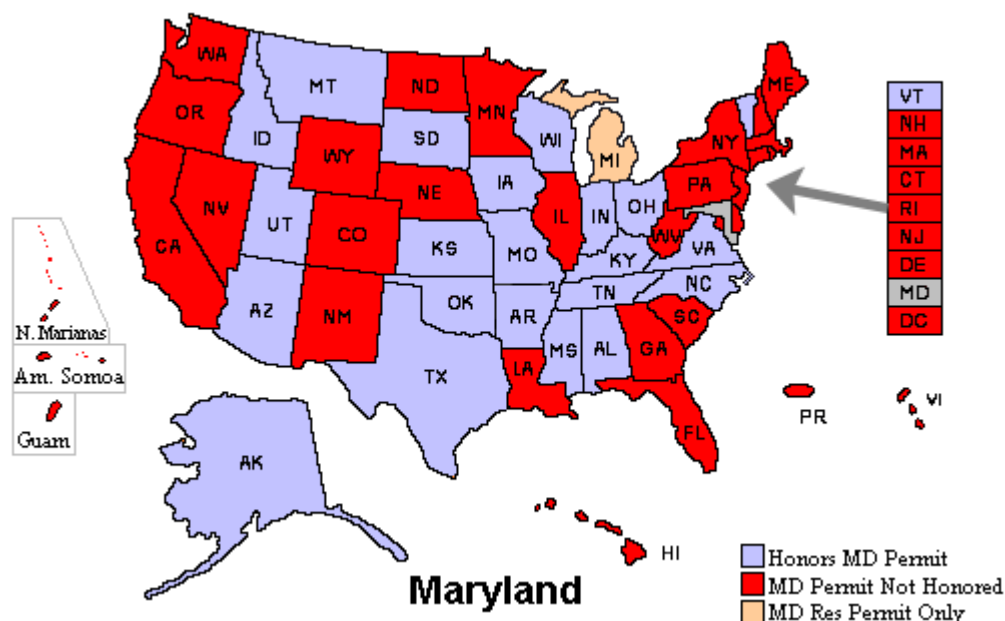


# Maryland

May Issue

Must Inform Officer Immediately: **NO**

(See Must Inform Section Below)



**Maryland  
CCW Links**

[State CCW Site](#)

[Steps to Apply for Carry License](#)

[CCW Application & Instructions](#)

[FAQs](#)

[Registration of Firearms](#)

[St. Statutes Nexis/Lexis](#)

[St. Statutes Westlaw](#)

[State Admin Rules](#)

[License/Registration Info](#)

[State Attorney General](#)

[Secretary of State](#)

**Last Updated: 2/10/18**

**Note:** [Alaska](#), [Arizona](#), [Kansas](#), [Maine](#), [Mississippi](#), [Missouri](#), [New Hampshire](#), [Vermont](#) and [West Virginia](#) have “Permitless Carry.”

Anyone who can legally possess a firearm may carry it concealed in those states without a Permit/License. Check each states page for more information and any restrictions that may apply.

[Idaho](#), [North Dakota](#) and [Wyoming](#) have “Permitless Carry” for their Residents only.

## Permits/Licenses This State Honors Listed Below

**Notice:** Maryland has a unit called, “[Maryland Coordination and Analysis Center](#).” They have license plate reader cameras around the state that read license plates of vehicles. Some are connected to Criminal Background Check programs and Permit/License Holder lists from the different states that will supply them with that information. Do use caution when even driving through Maryland. They can know if you have a firearms permit/license without even stopping you.

**Maryland does not honor any other state Permit/Licenses.**

**Note: From the Maryland State Police FAQs**

**Q.** Are out of state handgun permits valid in Maryland?

**A.** No. The only exception is to armored car drivers who possesses a valid permits from other states, who are on duty in Maryland.

## How to Apply for a Permit

### From the Maryland State Police

The Handgun Permit Unit will only accept applications completed electronically on the PDF form(s) provided below under Documents for initial and renewal applications. Please answer all questions accurately, [www.handgunlaw.us](http://www.handgunlaw.us)

completely and honestly. Once completed, the PDF form should be printed, and all documentation required and clarifications you feel may assist investigators in processing your application should be included. Too much is better than too little. The application, and all applicable documents, must be signed.

Mail the application packet to the Licensing Division at the address provided below. Allow 90 business days for the completion of the application process. If the Licensing Division does not receive the renewal application, satisfactorily completed, by the expiration date, the applicant must begin as a new applicant and complete all requirements necessary for an initial application.

### [Application](#)

### [Helpful Hits to Fill Out Application](#)

Original/Initial – \$75.00 - Fingerprint Fees not included

Renewal – \$50.00 – Fingerprints Not Required.

Duplicate/Modification – Total \$10.00

The Application has all the information you need on applying and how to get your fingerprints taken through an approved Maryland State Police electronic fingerprint processing center.

See the [Maryland St. Police](#) website for addition information.

**Note:** Maryland initial permit is valid for 2 years and 3 years on renewal.

## **Non-Resident Permits**

Non Residents apply the same way as residents

## **Places Off-Limits Even With a Permit/License**

\*MD Criminal Law [§ 4-102.](#)

[Westlaw Link 4-102](#)

**(b)** A person may not carry or possess a firearm, knife, or deadly weapon of any kind on public school property

**Note:** MD law just says “Public Schools” and does not say which kind of “Public Schools.” Handgunlaw.us is “Hearing” this only applies to K-12 Public Schools and not Private Schools and Colleges/Universities. **Use Caution** and research this issue further before carrying a firearm on Private Schools and Colleges/Universities.

\*MD Criminal Code [§ 4-208.](#) Possession of Firearm at Public Demonstration.

[Westlaw Link 4-208](#)

**(2) (i)** "Demonstration" means one or more persons demonstrating, picketing, speechmaking, marching, holding a vigil, or engaging in any other similar conduct that involves the communication or expression of views or grievances and that has the effect, intent, or propensity to attract a crowd or onlookers.

**(6) (i)** "Public place" means a place to which the general public has access and a right to resort for business, entertainment, or other lawful purpose.

**(ii)** "Public place" is not limited to a place devoted solely to the uses of the public.

**(iii)** "Public place" includes:

1. the front or immediate area or parking lot of a store, restaurant, tavern, shopping center, or other place of business;
2. a public building, including its grounds and curtilage;

3. a public parking lot;
4. a public street, sidewalk, or right-of-way;
5. a public park; and
6. other public grounds.

(b) Prohibited. –

(2) A person may not have a firearm in the person's possession or on or about the person at a demonstration in a public place or in a vehicle that is within 1,000 feet of a demonstration in a public place after:

- (i) the person has been advised by a law enforcement officer that a demonstration is occurring at the public place; and
- (ii) the person has been ordered by the law enforcement officer to leave the area of the demonstration until the person disposes of the firearm.

(c) Penalty. -- A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 1 year or a fine not exceeding \$ 1,000 or both.

**MD Code State Government**  
**Title 2 Subtitle 17**

**[§ 2-1702. Interference with Legislative Process](#)**

**[Westlaw Link 2-1702](#)**

(e) Firearms and other devices restricted. --

(1) This subsection does not apply to:

- (i) a law enforcement officer of any state or of the federal government who is carrying out duties of the office; or
- (ii) a person whom the officer summons to help in making an arrest or in preserving the peace.

(2) A person may not willfully bring an assault weapon or other firearm or destructive device, as defined in § 4-501 of the Criminal Law Article, into or have an assault weapon or other firearm or destructive device in a building where:

- (i) the Senate or the House has a chamber;
- (ii) a member, officer, or employee of the General Assembly has an official office; or
- (iii) a committee of the General Assembly, the Senate, or the House has an office.

(f) Penalties. -- A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$ 1,000 or imprisonment not exceeding 1 year or both.

History: An. Code 1957, art. 40, §§ 97-102, 104; 1984, ch. 284, § 1; 1994, ch. 456; 1997, ch. 343; 2002, ch. 213, § 6; 2004, ch. 25, § 6.

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**\*MD Code Business Regulations**  
**Title 15 Subtitle 2**

**[§ 15-203. Providing of Lodging and Services](#)**

**[Westlaw Link 15-203](#)**

(a) Refusal. -- An innkeeper may refuse to provide lodging or services to or may remove from a lodging establishment an individual who:

(6) the innkeeper reasonably believes possesses property that may be dangerous to other individuals, such as firearms or explosives; or

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**Government Buildings Dept. of General Services**

**\*MD Admin Rules [04.05.01.01](#)**

**.01 Definition and Application.**

www.handgunlaw.us

**A.** "Property" means State public buildings, improvements, grounds, and multiservice centers under the jurisdiction of the Department of General Services.

**B.** In addition to the regulations in this chapter, the following areas are also subject to COMAR 04.05.02 and the procedural rules of the Senate and House of Delegates:

(1) General Assembly buildings, improvements, and grounds;

(2) Senate and House of Delegates:

(a) Chambers,

(b) Lounges,

(c) Lobbies,

(d) Appurtenant areas,

(e) Committee rooms; and

(3) Joint Hearing Room.

\*MD Admin Rules [04.05.01.03](#)

### **Prohibited Conduct.**

**B.** Except for official purposes and by authorized personnel, an individual on the property may not carry open or concealed firearms, explosives, incendiary devices, or dangerous or deadly weapons.

**Maryland Criminal Law § 4-209. Regulation of Weapons and Ammunition.** [Westlaw Link 4-209](#)

### **State preemption**

(a) Except as otherwise provided in this section, the State preempts the right of a county, municipal corporation, or special taxing district to regulate the purchase, sale, taxation, transfer, manufacture, repair, ownership, possession, and transportation of:

(1) a handgun, rifle, or shotgun; and

(2) ammunition for and components of a handgun, rifle, or shotgun.

(b) (1) A county, municipal corporation, or special taxing district may regulate the purchase, sale, transfer, ownership, possession, and transportation of the items listed in subsection (a) of this section:

(i) with respect to minors;

(ii) with respect to law enforcement officials of the subdivision; and

(iii) except as provided in paragraph (2) of this subsection, within 100 yards of or in a park, church, school, public building, and other place of public assembly.

**Note:** It would be impossible for most people not familiar with an area to know about any existing ordinances concerning (iii) above. Use Caution.

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### **Chesapeake Forests Lands**

\*MD Admin Code [08.01.07.14](#)

### **.14 Weapons.**

#### **A. Definition.**

(1) In this regulation, the following term has the meaning indicated.

(2) Term Defined. "Weapon" means:

(a) A device capable of propelling a projectile at high velocity by mechanical means, by explosion, or

by expanding gas, including but not limited to a firearm, crossbow, or long bow;

(b) A dirk knife, bowie knife, switchblade (except a penknife without a switchblade), sand club, metal knuckles, razor, or nunchaku; or

(c) A device capable of:

(i) Inflicting death or bodily harm to an individual;

(ii) Maiming or killing wildlife; or

(iii) Destroying property.

**B.** Except as provided in Regulation .04 of this chapter and §§C and D of this regulation, possession or use of weapons or firearms by an individual other than a law enforcement officer is prohibited in Chesapeake Forest Lands.

**C.** Target shooting is permitted only at designated shooting ranges. The regulations governing the use of these ranges shall be posted and strictly enforced.

**D.** Except when legally hunting or legally target shooting, an individual may not discharge a firearm on land or waters owned or controlled by the Service.

**E.** Firearms shall be unloaded, and arrows kept in a quiver or case, when in a Chesapeake Forest camping area in accordance with Regulation .07 of this chapter.

### **Community Adult Rehabilitation Centers**

\*MD Admin Rules [12.02.03.10](#)

**H.** Security.

(9) Firearms, mace, tear gas or weapons of any other type **may** not be permitted in a facility.

\***Note:** Nothing in Maryland Law requires any of these areas to be posted with any type of signage saying they are government buildings/property or that firearms are not allowed.

### **Virginia Code [§ 18.2-308](#). Personal Protection; Carrying Concealed Weapons; When Lawful to Carry**

**Q.** A valid concealed handgun permit issued by the State of Maryland shall be valid in the Commonwealth of Virginia provided, (i) the holder of the permit is licensed in the State of Maryland to perform duties substantially similar to those performed by Virginia branch pilots licensed pursuant to Chapter 9 (§ [54.1-900](#) et seq.) of Title 54.1 and is performing such duties while in the Commonwealth, and (ii) the holder of the permit is 21 years of age or older.

**Note:** The above section pertains to Maryland Pilots of Vessels on Virginia Waters.

### **Transporting Firearms in Maryland**

[Can I legally transport firearms interstate?](#) MD State Police

Yes, under Title 18, Section 926A, of the United States Code, a person who is not prohibited from possessing, transporting, shipping, or receiving a firearm shall be entitled to transport a firearm for any lawful purpose from any place where he may lawfully possess and carry such firearm to any place where he may lawfully possess and carry such firearm if, during such transportation the firearm is unloaded, neither the firearm nor any ammunition being transported is readily accessible or is directly accessible from the passenger compartment. In the case the vehicle does not have a compartment separate from the driver's compartment the firearm or ammunition shall be contained in a locked compartment other than the glove compartment or console.

For Federal Restrictions on Firearms see the [USA Page](#).

## Do “No Gun Signs” Have the Force of Law?

“???????” (Can find no law stating they do)

We are unable to determine if “No Gun” signs have the force of law in Maryland. Until we get more information Handgunlaw.us believes you should treat every “No Gun” sign on any private business as having the force of law.

**Note:** Handgunlaw.us believes when you come across a business that is posted that you not just walk away. That business needs to know that they lost your business because of their “No Gun” sign. Giving them a “No Firearms = No Money” card would do just that. You can print free “No Firearms = No Money” cards by going [Here](#).

## Must Inform Officer Immediately on Contact By Law?

“NO”

**Public Safety § 5-308. Possession of Permit Required**

[Westlaw Link 5-308](#)

A person to whom a permit is issued or renewed shall carry the permit in the person's possession whenever the person carries, wears, or transports a handgun. **Note:** You would have to present it on demand.

## Carry In State Parks//WMA/Road Side Rest Areas & St. /Nat. Forests

**Carry Allowed in these Areas:**

**State Parks:** NO Admin Code [08.07.06.04](#)

**State/National Forests:** NO Admin Code [08.07.01.04](#)

**State WMA's:** YES [Nat Res. Code Title 10 Subtitle 4 § 10-408 \(d\)](#) [Westlaw Link 10-408](#)

**Road Side Rest Areas:** YES per MSP and Admin Code [11.04.07.12](#)

## RV/Car Carry Without a Permit/License

It is illegal to carry any loaded firearm in any vehicle in Maryland.

**Notice:** Maryland has a unit called, “[Maryland Coordination and Analysis Center](#).” They have license plate reader cameras around the state that read license plates of vehicles. Some are connected to Criminal Background Check programs and Permit/License Holder lists from the different states that will supply them with that information. Do use caution when even driving through Maryland. They can know if you have a firearms permit/license without even stopping you. Other States most likely have a similar system.

**Criminal Law § 4-203. Wearing, carrying, or transporting handgun**

[Westlaw Link 4-203](#)

(a) Prohibited. --

(1) Except as provided in subsection (b) of this section, a person may not:

(i) wear, carry, or transport a handgun, whether concealed or open, on or about the person;

(ii) wear, carry, or knowingly transport a handgun, whether concealed or open, in a vehicle traveling on a road or parking lot generally used by the public, highway, waterway, or airway of the State;

**(b) Exceptions. -- This section does not prohibit:**

(3) the carrying of a handgun on the person or in a vehicle while the person is transporting the handgun to or from the place of legal purchase or sale, or to or from a bona fide repair shop, or between bona fide residences of the person, or between the bona fide residence and place of business of the person, if the business is operated and owned substantially by the person if each handgun is unloaded and carried in an enclosed case or an enclosed holster;

(4) the wearing, carrying, or transporting by a person of a handgun used in connection with an organized military activity, a target shoot, formal or informal target practice, sport shooting event, hunting, a Department of Natural Resources-sponsored firearms and hunter safety class, trapping, or a dog obedience training class or show, while the person is engaged in, on the way to, or returning from that activity if each handgun is unloaded and carried in an enclosed case or an enclosed holster;

(5) the moving by a bona fide gun collector of part or all of the collector's gun collection from place to place for public or private exhibition if each handgun is unloaded and carried in an enclosed case or an enclosed holster;

(6) the wearing, carrying, or transporting of a handgun by a person on real estate that the person owns or leases or where the person resides or within the confines of a business establishment that the person owns or leases;

### **How can I legally transport firearms within / through Maryland?**

**Answer:** They must be unloaded, in a carrying case, holster with a flap and the ammunition should be separate. It would be best to keep the unloaded weapon in the trunk where you do not have access to it. There are further regulations but essentially you can only transport a handgun between residence, to and from a repair shop, a shooting sporting event, between a residence and place of business if substantially owned and operated by the person. For more information please contact our [Licensing Division](#).

### **From the Maryland State Police FAQs.**

**Q. Can I legally transport firearms interstate?** (From the MD State Police)

**A.** Yes, under Title 18, Section 926A, of the United States Code, a person who is not prohibited from possessing, transporting, shipping, or receiving a firearm shall be entitled to transport a firearm for any lawful purpose from any place where he may lawfully possess and carry such firearm to any place where he may lawfully possess and carry such firearm if, during such transportation the firearm is unloaded, neither the firearm nor any ammunition being transported is readily accessible or is directly accessible from the passenger compartment. In the case the vehicle does not have a compartment separate from the driver's compartment the firearm or ammunition shall be contained in a locked compartment other than the glove compartment or console.

### **Federal Law on Transporting Firearms:**

#### **§ 926A. Interstate Transportation of Firearms**

Notwithstanding any other provision of any law or any rule or regulation of a State or any political subdivision thereof, any person who is not otherwise prohibited by this chapter from transporting, shipping, or receiving a firearm shall be entitled to transport a firearm for any lawful purpose from any place where he may lawfully possess and carry such firearm to any other place where he may lawfully possess and carry

such firearm if, during such transportation the firearm is unloaded, and neither the firearm nor any ammunition being transported is readily accessible or is directly accessible from the passenger compartment of such transporting vehicle: Provided, That in the case of a vehicle without a compartment separate from the driver's compartment the firearm or ammunition shall be contained in a locked container other than the glove compartment or console.

**Note:** If you travel through MD with the firearm unloaded and secured you are covered under Federal law. If you interrupt your trip while in Maryland, you come under state law, and may not transport a handgun even unloaded and cased, except to a few designated destinations (range, residence, etc.) without a Maryland Permit. These restrictions on transportation do not apply to long guns.

## Open Carry (Without a Valid Permit/License)

You must have a valid permit/license to legally carry any handgun in Maryland. Maryland is a May Issue state and open carrying a firearm even with a Maryland Permit/License would most likely be frowned upon and open carrying would most likely be a valid reason for the state to revoke your carry Permit/License.

## State Preemption

**Maryland Criminal Law § 4-209. Regulation of Weapons and Ammunition.**

[Westlaw Link 4-209](#)

(a) State preemption. -- Except as otherwise provided in this section, the State preempts the right of a county, municipal corporation, or special taxing district to regulate the purchase, sale, taxation, transfer, manufacture, repair, ownership, possession, and transportation of:

- (1) a handgun, rifle, or shotgun; and
- (2) ammunition for and components of a handgun, rifle, or shotgun.

(b) Exceptions. --

(1) A county, municipal corporation, or special taxing district may regulate the purchase, sale, transfer, ownership, possession, and transportation of the items listed in subsection (a) of this section:

- (i) with respect to minors;
- (ii) with respect to law enforcement officials of the subdivision; and

(iii) except as provided in paragraph (2) of this subsection, within 100 yards of or in a park, church, school, public building, and other place of public assembly.

(2) A county, municipal corporation, or special taxing district may not prohibit the teaching of or training in firearms safety, or other educational or sporting use of the items listed in subsection (a) of this section.

(3) A county, municipal corporation, or special taxing district may not prohibit the transportation of an item listed in subsection (a) of this section by a person who is carrying a court order requiring the surrender of the item, if:

- (i) the handgun, rifle, or shotgun is unloaded;
- (ii) the person has notified the law enforcement unit, barracks, or station that the item is being transported in accordance with the court order; and
- (iii) the person transports the item directly to the law enforcement unit, barracks, or station.

(c) Preexisting local laws. -- To the extent that a local law does not create an inconsistency with this section or expand existing regulatory control, a county, municipal corporation, or special taxing district may exercise its existing authority to amend any local law that existed on or before December 31, 1984.

(d) Discharge of firearms. --



(1) Except as provided in paragraph (2) of this subsection, in accordance with law, a county, municipal corporation, or special taxing district may regulate the discharge of handguns, rifles, and shotguns.

(2) A county, municipal corporation, or special taxing district may not prohibit the discharge of firearms at established ranges.

## Deadly Force Laws

**Maryland Self Defense Laws are almost all based on Case Law and not Statute. Below is from Wikipedia “[Right of self-defense in Maryland](#)”.** I can’t find any of the cases mentioned on a Maryland Government site to post a link to. Many are old cases. They can be found on law sites with a Google search. I am not sure how reliable this information is but it is the only info I can find on Maryland Deadly Force Laws. Use it as a start in your search to find more information

Maryland also follows the [common law](#) rule that, outside of one's home, a person, before using deadly force in self-defense, has the duty "to retreat or avoid danger if such means were within his power and consistent with his safety." *DeVaughn v. State*, 232 Md. 447, 453, 194 A.2d 109, 112 (1963), cert. denied, 376 U.S. 527 (1964), quoting *Bruce v. State*, 218 Md. 87, 97, 145 A.2d 428, 433 (1958). See also *Burch v. State*, 346 Md. 253, 283, 696 A.2d 443, 458 (1997).

But a person does not have to retreat if it would not be safe for the person to do so. "[I]f the peril of the defendant was imminent, he did not have to retreat but had a right to stand his ground and to defend and protect himself." *Bruce v. State*, supra, 218 Md. at 97, 145 A.2d at 433.

The duty to retreat also does not apply if one is attacked in one's own home. "[A] man faced with the danger of an attack upon his dwelling need not retreat from his home to escape the danger, but instead may stand his ground and, if necessary to repel the attack, may kill the attacker." *Crawford v. State*, 231 Md. 354, 361, 190 A.2d 538, 541 (1963). The Court of Appeals said in *Crawford*, a case in which the defendant fatally shot a younger man who was attempting to break into his home to beat and rob him:

"\* \* \* A man is not bound to retreat from his house. He may stand his ground there and kill an[y] person who attempts to commit a felony therein, or who attempts to enter by force for the purpose of committing a felony, or of inflicting great bodily harm upon an inmate. In such a case the owner or any member of the family, or even a lodger in the house, may meet the intruder at the threshold, and prevent him from entering by any means rendered necessary by the exigency, even to the taking of his life, and the homicide will be justifiable."

## Knife Laws State/Cities

To access State/Local Knife Laws Click [“Here”](#)

## Carry in Restaurants That Serve Alcohol

**YES**

**Note:** A “YES” above means you can carry into places like described below. “NO” means you can’t. Handgunlaw.us definition of “Restaurant Carry” is carry in a restaurant that serves alcohol. Places like Friday’s or Red Lobster unless posted with “No Gun Signs.” This may or may not mean the bar or the bar area of a restaurant. But you can carry your firearm into a restaurant that serves alcohol and sit and eat without consuming. Handgunlaw.us recommends you not sit at the Bar or in the Bar area of such restaurants. In some states it is illegal to be in the Bar area of such restaurants. Handgunlaw.us believes you should never consume alcohol when carrying your firearm. In some

states it is illegal to take even one drink while carrying a firearm. If you want further info on carrying in places that serve alcohol check your state laws.

## Chemical Sprays/Stun Gun/Higher Capacity Magazine Laws

### Higher Capacity Magazines:

#### **Criminal Code [§ 4-305](#). Detachable magazines -- Prohibited**

[Westlaw Link 4-305](#)

(a) Scope of section. -- This section does not apply to:

- (1) a .22 caliber rifle with a tubular magazine; or
- (2) a law enforcement officer or a person who retired in good standing from service with a law enforcement agency of the United States, the State, or any law enforcement agency in the State.

(b) Prohibited. -- A person may not manufacture, sell, offer for sale, purchase, receive, or transfer a detachable magazine that has a capacity of more than 10 rounds of ammunition for a firearm.

**HISTORY:** An. Code 1957, art. 27, § 36H-5(b); 2002, ch. 26, § 2; 2013, ch. 427.

**Criminal Law [§ 4-301](#). (II)** a semiautomatic centerfire rifle that has a fixed magazine with the capacity to accept more than 10 rounds;

[Westlaw Link 4-301](#)

(IV) a semiautomatic pistol with a fixed magazine that can accept more than 10 rounds;

(F) "detachable magazine" means an ammunition feeding device that can be removed readily from a firearm without requiring disassembly of the firearm action or without the use of a tool, including a bullet or cartridge.

Article on Regulated Firearms written 9/14 by Jack Mccauley who retired as the Commander of the Maryland State Police Licensing Division in 2013 can be viewed [Here](#).

#### **Criminal Law [§ 4-109](#). Electronic Control Device.**

[Westlaw Link 4-109](#)

(a) Definitions.-

- (1) In this section the following words have the meanings indicated.
  - (2) "Crime of violence" has the meaning stated in § 14-101 of this article.
  - (3) "Electronic control device" means a portable device designed as a weapon capable of injuring, immobilizing, or inflicting pain on an individual by the discharge of electrical current.
- (b) Requirements for possession or use.- A person may not possess or use an electronic control device unless the person:
- (1) has attained the age of 18 years; and
  - (2) has never been convicted of a crime of violence or a violation of § 5-602, § 5-603, § 5-604, § 5-605, § 5-606, § 5-613, or § 5-614 of this article.

(c) Prohibitions.- An electronic control device may not be sold and activated in the State unless:

- (1) an instructional manual or audio or audiovisual instructions are provided to the purchaser;
- (2) the manufacturer maintains a record of the original owner of the electronic control device; and
- (3) the manufacturer or seller has obtained a State and federal criminal history records check of the original owner to ensure compliance with subsection (b)(2) of this section.

(d) Access to manufacturer's records.- A manufacturer of electronic control devices shall provide an investigating law enforcement agency with prompt access to the manufacturer's records on electronic control devices and cartridges sold in the State.

## **Stun Devices Illegal in the following Cities/Counties in MD.**

Beware there could be Cities/Counties with bans that are not listed.

**Baltimore, MD - City Code 115**

**Ocean City, MD - Sec. 58-162**

## **LEOSA State Information**

[LEOSA Information from the Maryland State Police](#)

[MD LEOSA Application](#)

**Criminal Law Title 4 Subtitle 3 [§ 4-305](#). Detachable magazines -- Prohibited**

[Westlaw Link 4-305](#)

(a) Scope of section. -- This section does not apply to:

- (1) a .22 caliber rifle with a tubular magazine; or
- (2) a law enforcement officer or a person who retired in good standing from service with a law enforcement agency of the United States, the State, or any law enforcement agency in the State.

(b) Prohibited. -- A person may not manufacture, sell, offer for sale, purchase, receive, or transfer a detachable magazine that has a capacity of more than 10 rounds of ammunition for a firearm.

**HISTORY:** An. Code 1957, art. 27, § 36H-5(b); 2002, ch. 26, § 2; 2013, ch. 427.

See the LEOSA Section on the [USA Page](#) at Handgunlaw.us for more LEOSA Information.

## **Attorney General Opinions/Court Cases**

- [Maryland AG - Integrated Devices](#)
- [Maryland AG - Preemption](#)
- [Maryland Supreme Court on Loan of Firearms](#)
- [Maryland Supreme Court - Self-Defense](#)
- [Maryland AG – Carrying Loaded Mags In Vehicles](#)
- [U.S. District Ct – Ruling on Good Cause for Issue of Permit/License](#)
- [MD AG Response Letter to Long Gun Carry](#)
- [MD AG on Definition of Enclosed Holster.](#)

## **Airport Carry/Misc. Information**

**Airport Carry:** No law found.

**Training Valid for:** 2 Years

**Time Period to Establish Residency:** "A person who moves into the state with the intent of becoming a resident shall register all regulated firearms with the Secretary [of the Maryland State Police] within 90 days after establishing residency." From all Handgunlaw.us can find out you become a resident upon obtaining a Drivers License/State ID.

**Minimum Age for Permit/License:** 18

**Permit/License Info Public Information:** NO (SB 281 – Passed 2013)

**State Fire arm Laws:** Public Safety 5-101 Thru 5-504 & Criminal Code 4-101 thru 4-503

**State Deadly Force Laws:** Unknown

**State Knife Laws:** Public Safety 5-101 & 5-105

**Chemical/Electric Weapons Laws:** Criminal Code 4-101

**Body Armor Laws:** Criminal Code 4-106 & 4-107

**Does Your Permit Cover Other Weapons Besides Firearms?** YES Public Safety 5-301 say Handgun but Criminal Code § 4-101. exempts Permit Holders from the law prohibiting carrying other dangerous weapons.

**Is carrying of a Concealed Firearm with Permit/License for Defensive Purposes Only While Hunting Legal?** YES [Nat Resources Code Title 10 Subtitle 4 § 10-408 \(d\)](#) Only While Bow Hunting in Deer Management Region A.

[Westlaw Link 10-408](#)

## Notes

**What Does MD Consider A Loaded Firearm?**

Natural Resources Title 10 [§ 10-410](#). Restrictions on Hunting Wildlife Generally.

[Westlaw Link 10-410](#)

**(c) Hunting from Vehicles.-**

- (1) A person may not shoot at any species of wildlife from an automobile or other vehicle or, except as provided in § 4-203(b) of the Criminal Law Article and Title 5, Subtitle 3 of the Public Safety Article, possess in or on an automobile or other vehicle a loaded handgun or shotgun, or a rifle containing any ammunition in the magazine or chamber.

**Note** – AG Opinion (See AG Opinion Above on Loaded Mags in Vehicles) states that it is legal to have in a vehicle a loaded magazine that is not inserted into the firearm but is separate from the firearm.

## State Emergency Powers

Public Safety  
Title 14. Emergency Management  
Subtitle 3. Governor's Emergency Powers

Md. PUBLIC SAFETY Code Ann. § 14-303 (2012)

Public Safety [§ 14-303](#). Governor's Proclamation of State Of Emergency

[Westlaw Link 14-303](#)

(a) Authority to proclaim state of emergency. -- During a public emergency in the State, the Governor may proclaim a state of emergency and designate the emergency area:

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(1) if public safety is endangered or on reasonable apprehension of immediate danger to public safety; and

(2) on:

(i) the Governor's own initiative; or

(ii) the application of:

1. the chief executive officer or governing body of a county or municipal corporation; or

2. the Secretary of State Police.

(b) Orders, rules, and regulations to control and terminate public emergency -- Issuance. -- After proclaiming a state of emergency, the Governor may promulgate reasonable orders, rules, or regulations that the Governor considers necessary to protect life and property or calculated effectively to control and terminate the public emergency in the emergency area, including orders, rules, or regulations to:

(1) control traffic, including public and private transportation, in the emergency area;

(2) designate specific zones in the emergency area in which the occupancy and use of buildings and vehicles may be controlled;

(3) control the movement of individuals or vehicles into, in, or from the designated zones;

(4) control places of amusement and places of assembly;

(5) control individuals on public streets;

(6) establish curfews;

(7) control the sale, transportation, and use of alcoholic beverages;

(8) control the possession, sale, carrying, and use of firearms, other dangerous weapons, and ammunition; and

(9) control the storage, use, and transportation of explosives or flammable materials or liquids considered to be dangerous to public safety, including "Molotov cocktails".

(c) Orders, rules, and regulations to control and terminate public emergency -- Notice. -- Before an order, rule, or regulation promulgated under subsection (b) of this section takes effect, the Governor shall give reasonable notice of the order, rule, or regulation:

(1) in a newspaper of general circulation in the emergency area;

(2) through television or radio serving the emergency area; or

(3) by circulating notices or posting signs at conspicuous places in the emergency area.

(d) Orders, rules, and regulations to control and terminate public emergency -- Effect. -- An order, rule, or regulation promulgated under subsection (b) of this section:

(1) takes effect from the time and in the manner specified in the order, rule, or regulation;

(2) may be amended or rescinded, in the same manner as the original order, by the Governor at any time during the state of emergency; and

(3) terminates when the Governor declares that the state of emergency no longer exists.

HISTORY: An. Code 1957, art. 41, § 2-101(b)(2), (c); 2003, ch. 5, § 2.

**Note:** Additional information on MD Emergency Management is contained in the MD Code Under Public Safety title 14.

**Note:** Federal Law can apply if the state is receiving monetary and/or other assistance from the Federal Government. See [US Code 42-5207](#) for Federal Law as it applies to States of Emergencies. The state quoted [www.handgunlaw.us](http://www.handgunlaw.us)

code may also not be all of the law on Emergency Powers held by the state. You should read the entire code on Emergency Powers etc for this state by following the link to the state code.

### Minimum Age for Possessing and Transporting of Handguns.

Maryland 21 Y/O

Public Safety, Title 5 Firearms, Subtitle I, § 5-133 (d)(1)

[Westlaw Link 5-133](#)

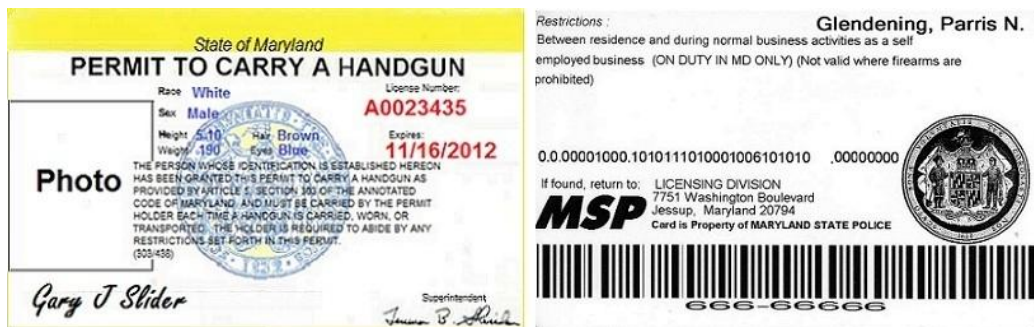
This is the minimum age for possessing and transporting a handgun unloaded and secured in a vehicle without any type of permit/license to carry firearms.

Some states (and counties) require Firearms Identification Cards, and/or registration.

**Note:** In some states Possession and Transportation CAN be very restrictive in that you can ONLY possess and transport a handgun to and from a Shooting Range, Gun Shop, property you own or other places you can legally possess a handgun. Some states do not have this restriction.

This is not the last word on possession and transporting of handguns in this, or any other state. Study your state law further for more information. See “RV/Car Carry” Section Above for more information.

### Permit/License Image



This image has been digitally assembled from 2 or more images. It may not be 100% accurate but gives a good representation of the actual Permit/License.



Handgun Qualification License needed to buy handguns and SBR & SBS. Good for 10 years. Showing Old & New Versions.

### Updates to this Page

#### [Archive of Previous Updates 2](#)

2/24/17 – New Hampshire Added as Permitless Carry State to List of States Under Map at Top of Page. Howard County Stun Gun Ban repealed. Removed listing from Chem Sprays/Elect weapons/Higher Cap Mag Section.

3/3/17 - Annapolis, MD Stun Gun Ban Repealed. Removed Listing from Chem/Elec Weapons/Higher Cap Mag Section.

4/7/17 – Baltimore County Repealed Its Stun Gun Ban. Removed From Chem Sprays/Stun Gun/Higher Cap Mag Section.

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**7/1/17** – Link to Application and Instructions Updated in Links Section.

**8/20/17** – All Links Checked and Repaired if Needed.

**9/20/17** – This State Uses NexisLexis for its Statutes. You Can't Link Directly to Their Statutes. New Link for All Statute Links Incorporated so That This States Statutes Can be Accessed for Free.

**12/5/17** – Westlaw Statute Link Added to Links Section. Westlaw Links to Statutes Added in Different Sections as They are Direct Links to Maryland Statutes Which Nexic/Lexis Doesn' Allow.

**12/8/17** – Section (a) Added to St Code § 4-209 in How to Apply Section.

**2/10/18** – Al Links Checked.