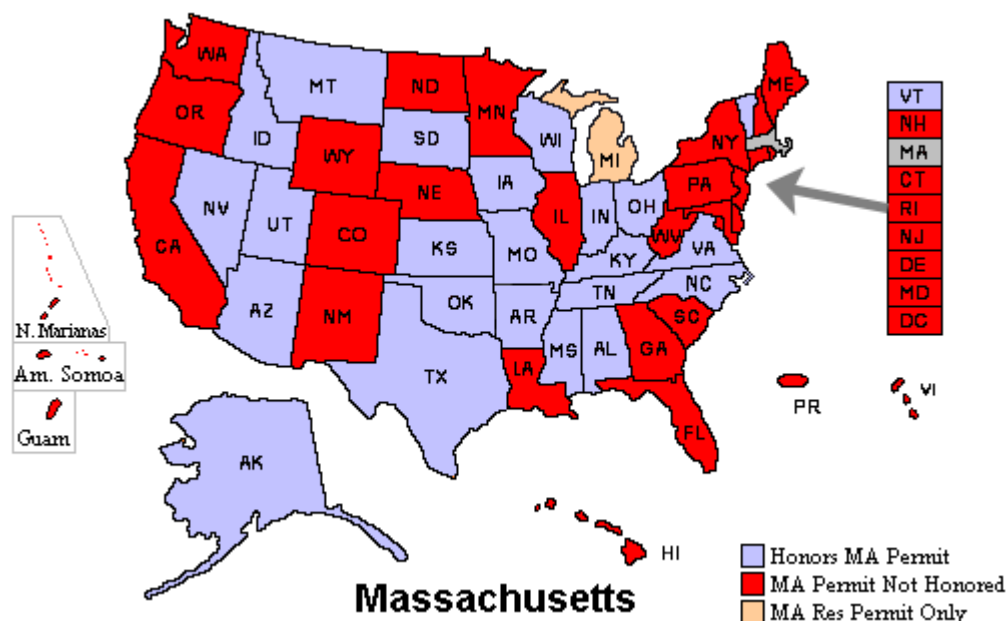


# Massachusetts

May Issue

Must Inform Officer Immediately: **NO**

(See Must Inform Section Below)



[Massachusetts CCW Links](#)  
[State CCW Site](#)  
[Non Res Application](#)  
[CCW Application](#)  
[CCW FAQ](#)  
[State Statutes](#)  
[State Admin Rules](#)  
[MA Firearm Laws DPS](#)  
[Firearm/Weapon Laws](#)  
[State Attorney General](#)  
[2<sup>nd</sup> CCW Info Site](#)  
[Secretary of State](#)  
**Last Updated: 4/24/18**

**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

Massachusetts does not honor any other state permits.

## How to Apply for a Permit

Local Police issue Resident permits. You should check with your local police as to the criteria you have to follow to obtain and LTC.

### LTC (License to Carry)

The LTC permits the purchase, possession and carrying of large-capacity handguns and transporting rifles, shotguns and Large Capacity feeding devices.

### LTC Information

- Your current LTC will be valid until its stated expiration date.
- New applicants must be 21 years of age or older to obtain a LTC.
- LTCs are valid for 6 years.
- The fee for an LTC is \$100.00. ([Fee Chart](#))
- Strict new eligibility requirements now apply. Please contact your local police officials for details.

## Chapter 140: Section 131. Licenses to Carry Firearms; Conditions and Restrictions

**Section 131.** The issuance and possession of a license to carry firearms shall be subject to the following conditions and restrictions:

(a) A Class A license shall entitle a holder thereof to purchase, rent, lease, borrow, possess and carry: (i) firearms, including large capacity firearms, and feeding devices and ammunition therefor, for all lawful purposes, subject to such restrictions relative to the possession, use or carrying of firearms as the licensing authority deems proper; and (ii) rifles and shotguns, including large capacity weapons, and feeding devices and ammunition therefor, for all lawful purposes; provided, however, that the licensing authority may impose such restrictions relative to the possession, use or carrying of large capacity rifles and shotguns as it deems proper. A violation of a restriction imposed by the licensing authority under the provisions of this paragraph shall be cause for suspension or revocation and shall, unless otherwise provided, be punished by a fine of not less than \$1,000 nor more than \$10,000; provided, however, that the provisions of section 10 of chapter 269 shall not apply to such violation.

### How to Apply and Application

#### Non-Resident Permits

**Notice.** Effective January 1, 2017, the Massachusetts Department of Criminal Justice Information Services (DCJIS) Firearms Records Bureau (FRB) will implement a procedural change to the current non-resident firearms licensing process.

Specifically, an in-person appearance at the FRB office in Chelsea, MA will only be required every six years. **You will still need to renew your license annually**, however these subsequent applications will be processed solely by mail until the next required in-person appearance.

For all **renewal** applications received in 2017, the next in-person appearance will be as follows:

If your birthday falls between:	You will next appear in-person in:
January 1 and April 30	2020 and every six years thereafter
May 1 and August 31	2021 and every six years thereafter
September 1 and December 31	2022 and every six years thereafter

For all **new** applications received in 2017 or after, you will be required to appear in-person for your initial application appointment and then every six years thereafter. **You will still need to renew your license annually through the mail.**

Please call the Firearms Records Bureau at 617.660.4782 with any questions.

**Note:** FYI I am hearing from Firearms Instructors in Massachusetts that Non Residents when they first apply are getting a restricted license. Upon renewal they are having better success getting an unrestricted license. Reading the new Non Resident Permit application the MA Firearms Unit puts out (Link at top of page 1 on right) they mention a very good reason is needed to get an unrestricted License.

Beginning August 1st, 2009, all new and renewal non-resident temporary licenses to carry firearms (LTC) in Massachusetts will be issued through the Massachusetts Instant Record Check System (MIRCS). MIRCS is a computer based application used to manage, process and monitor firearms licensing statewide.

What this means for applicants:

(1) Applicants will no longer be required to obtain fingerprints from their local police departments;  
www.handgunlaw.us

- (2) Applicants will no longer be required to obtain a passport size photograph;
- (3) An LTC will be issued on a wallet-sized, digitally printed, plastic card;
- (4) To complete the application process, all applicants will be required to appear in person at the following:

Firearms Records Bureau  
Criminal History Systems Board  
200 Arlington Street, Chelsea, MA 02150

Any applicant who submits an application to the Firearms Records Bureau (FRB) after June 1st, 2009, will be contacted by FRB staff to set up an appointment for final LTC processing in Chelsea, MA.

The Firearms Records Bureau (FRB) may apply certain restrictions on a non-resident temporary license to carry firearms. These restrictions detail the terms and conditions that govern the possession of a firearm under the license pursuant to G.L. c. 140, §131F.

The following restrictions may be applied to a non-resident temporary license to carry firearms:

**NONE** – the LTC is issued for all lawful purposes with no restrictions.

**EMPLOYMENT** – restricts possession to business owner engaged in business activities or to an employee while engaged in work related activities, and maintaining proficiency, where the employer requires carry of a firearm (i.e. armored car, security guard, etc.). Includes travel to and from activity location.

**TARGET & HUNTING** – restricts possession to the purpose of lawful recreational shooting or competition; for use in the lawful pursuit of game animals and birds; for personal protection in the home; and for the purpose of collecting (other than machine guns). Includes travel to and from activity location

**SPORTING** – restricts possession to the purpose of lawful recreational shooting or competition; for use in the lawful pursuit of game animals and birds; for personal protection in the home; for the purpose of collecting (other than machine guns); and for outdoor recreational activities such as hiking, camping, cross country skiing, or similar activities. Includes travel to and from activity location.

**OTHER** – Restrictions are based upon the information provided in the license application. Please ensure that you provide a detailed reason for requesting the issuance of a license in Massachusetts. Include information regarding how and where you intend to possess or use a firearm and your knowledge and training in Massachusetts firearms laws.

#### [MA Non Resident Application and Instructions](#)

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

- Courthouses (I have been told that they must have security to be off-limits)
- MGL 269.10 (j) elementary or secondary school, college or university

#### **Part I. Administration of The Government**

##### **Title XIV. Public Ways and Works**

##### **Chapter 90. Motor Vehicles and Aircraft**

##### **Section 61. Logan Airport security zone; access; penalties**

**Section 61. (a)** Notwithstanding the provisions of any general or special law to the contrary, as a matter of public safety and security, there is hereby created a security zone bordering the General Edward Lawrence Logan Airport that shall include the area between the mean high water line of said airport and a line measured 500 feet seaward of and parallel to said mean high water line from Wood Island Basin to the easterly end of Jeffries Cove as shown on a plan entitled “Plan of General Edward Lawrence Logan

International Airport Security Zone” prepared by Massachusetts Port Authority Capital Programs Department, April 2002.

(b) No person, except authorized law enforcement or military personnel and authorized personnel of the authority, shall: (1) carry or otherwise possess a firearm, rifle, shotgun, assault weapon, ammunition, explosive device or material, or any hoax device as defined by section 102A1/2 of chapter 266, within said security zone; (2) engage in any activity within said security zone that jeopardizes or may jeopardize the safety or security of any person or of the airport; or . . .

**Part I. Title XX. Chpt. 140: [Section 131C](#).**

(a) No person carrying a loaded firearm under a Class A license issued under section 131 or 131F shall carry the same in a vehicle unless such firearm while carried therein is under the direct control of such person. Whoever violates the provisions of this subsection shall be punished by a fine of \$500.

**[740 CMR 30.04](#) Airport Authority/Airports**

(1) No person except federal or state law enforcement officers, United States Postal Service, United States Customs and Border Patrol, Air Carrier employees approved by the TSA, members of the Armed Forces of the United States and Massachusetts National Guard on official duty and licensed armored truck service guards with the prior approval of the Authority, who are authorized and validly licensed to carry Firearms, ammunition and explosives in Massachusetts, shall carry loaded or otherwise operational Firearms or explosives on the Airport.

**[740 CMR 30.01](#) Defines Airport** - Airport shall mean an airport owned or operated by the Authority.

**Note:** From my reading even the parking area would be off limits to firearms unless they are packaged and declared for transport via an air carriers checked baggage. This would be all airports in Massachusetts which the Airport Authority has jurisdiction over.

**Massachusetts Environmental Police** Boat and Recreation Vehicle Safety Bureau publish an **[Off Highway Vehicle Brochure](#)** which states this under Prohibited Operation:

“Operating with a loaded firearm, rifle, or shotgun.”

**Note:** So it looks to Handgunlaw.us even with a Massachusetts Permit/License to Carry, even a No Restrictions Permit/License, you can’t carry when on an OHV. This may also include Snowmobiles.

**Mount Greylock State Reservation** (Found in **[Hunting Regs](#)** for Greylock)

Hunting is allowed within Mount Greylock State Reservation with appropriate license(s) and/or permit(s) in season, from Columbus Day (October) through May 20. Hikers and pets on leash are recommended to wear blaze orange in a conspicuous manner during the hunting season. No Hunting or firearms are permitted within the War Memorial Park, a 0.75 mile radius from the War Memorial Tower.

**Woods Hole, Martha’s Vineyard and Nantucket Steamship Authority**

If planning on traveling on the above ferries you need to read the Firearms provisions they have in their Customer Handbook. Section J 2.1. Those with a valid permit/license to carry can transport but there are conditions that you must meet to transport it. You can read the Customer Handbook by going **[Here](#)**.

**[527 CMR: 13.04](#) Storage and Ammo Quantities Regulations:**

These regulations are found in the Codes of Massachusetts Regulations or CMR's. Those controlling the storage and quantities of ammo that a person can have on hand is in the Fire Regulations.

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

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

“NO”

“Handgunlaw.us highly recommends that you not enter a place that is posted "No Firearms" no matter what the state laws read/mean on signage. We recommend you print out the [No Guns = No Money Cards](#) and give one to the owner of the establishment that has the signage." As responsible gun owners and upholders of the 2nd Amendment we should also honor the rights of property owners to control their own property even if we disagree with them.”

“No Firearm” signs in Massachusetts have no force of law unless they are posted on property that is specifically mentioned in State Law as being off limits to those with a Permit/License to Carry. If you are in a place not specifically mentioned in the law that is posted and they ask you to leave, you must leave. If you refuse to leave then you are breaking the law and can be charged. Even if the property is not posted and you are asked to leave you must leave. Always be aware of the possibility that responding Police Officers who may have been called without your knowledge and may not know the laws on trespass etc. could arrest you even if you are within the law.

## Must Inform Officer Immediately on Contact By Law?

“NO”

### Part I. Title XX. Chpt. 140

#### [Section 129C](#)

**(u) (6th Paragraph)** Any person who, while not being within the limits of his own property or residence, or such person whose property or residence is under lawful search, and who is not exempt under this section, shall on demand of a police officer or other law enforcement officer, exhibit his license to carry firearms, or his firearm identification card or receipt for fee paid for such card, or, after January first, nineteen hundred and seventy, exhibit a valid hunting license issued to him which shall bear the number officially inscribed of such license to carry or card if any. Upon failure to do so such person may be required to surrender to such officer said firearm, rifle or shotgun which shall be taken into custody as under the provisions of section one hundred and twenty-nine D, except that such firearm, rifle or shotgun shall be returned forthwith upon presentation within thirty days of said license to carry firearms, firearm identification card or receipt for fee paid for such card or hunting license as hereinbefore described. Any person subject to the conditions of this paragraph may, even though no firearm, rifle or shotgun was surrendered, be required to produce within thirty days said license to carry firearms, firearm identification card or receipt for fee paid for such card, or said hunting license, failing which the conditions of section one hundred and twenty-nine D will apply. Nothing in this section shall prevent any person from being prosecuted for any violation of this chapter.

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

### Carry Allowed in these Areas:

**State Parks:** YES      [302 CMR 12.04](#) (5)

**State/National Forests:** YES

State WMA's **YES** [321 CMR 3:01](#) **NO** State Wildlife Sanctuaries [321 CMR 7:01](#)

Road Side Rest Areas: **YES** per MSP

## RV/Car Carry Without a Permit/License

You can't carry a loaded firearm of any type inside any vehicle in Massachusetts without an LTC permit issued by the state of Massachusetts.

### Definition of Large Capacity Weapon

A weapon is large capacity if it is a semi-automatic handgun or rifle that is capable of accepting (or readily modifiable to accept) any detachable large capacity feeding device that holds more than ten rounds, OR if it is a shotgun capable of accepting more than five shotgun shells, OR if it is an assault weapon.

NOTE: A .22 caliber rifle with a fixed tubular magazine is not considered large capacity.

### Transporting Firearms in Motor Vehicles

**An LTC:** Allows the holder to transport a loaded or unloaded handgun on his person or in a motor vehicle if the handgun is under their direct control. Handgun does not have to be in a locked case or container.

**Large-Capacity Rifles And Shotguns:** No person possessing a large-capacity rifle or shotgun under an LTC shall possess said rifle or shotgun in a motor vehicle unless unloaded and contained within a locked trunk or in a locked case or other secure container.

**NOTE:** All rifles and shotguns must be unloaded when in or on a motor vehicle, but only large-capacity rifles and shotguns are subject to the storage requirement. This also applies to Muzzleloading or other Black Powder arms.

**Q: Can I leave my gun in my car if I need to go into the store on my way home from the range or from hunting?**

**A:** If your handgun or large capacity rifle or shotgun is transported in accordance with the provisions of [M.G.L. c. 140, §131C](#) (i.e. unloaded and in a locked case, locked trunk or other secure container) then the gun may be left unattended in the vehicle. Weapons transported in this manner will automatically be considered "stored or kept" in compliance with the safe storage requirements of [§131L](#).

A person leaving a non-large capacity rifle or shotgun in an unattended vehicle is required to lock the rifle or shotgun in a case/container or in the trunk, or install a mechanical locking device on the weapon (i.e. cable or trigger lock).

**Note:** Use extreme Caution when entering Massachusetts unless you have a MA Permit to Carry. The laws are very difficult to understand and certain firearms are not allowed in the state. Follow the links above and read the laws of MA on firearms.

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

There is no Statute in Massachusetts law that prohibits a Massachusetts license holder from carrying a concealed handgun openly. This [Massachusetts Court Case](#) could apply to a person with a permit and open carrying. I would not want to be another test case.

## State Preemption

### Part I, Title VII, CHAPTER 43B. Home Rule Procedures

#### Chapter 43B: Section 13. Exercise of Powers and Functions by Municipalities

**Section 13.** Any city or town may, by the adoption, amendment or repeal of local ordinances or by-laws, exercise any power or function which the general court has power to confer upon it, which is not inconsistent with the constitution or laws enacted by the general court in conformity with powers reserved to the general court by section 8 of Article LXXXIX of the Amendments to the Constitution and which is not denied, either expressly or by clear implication, to the city or town by its charter. Whenever appropriations, appointments, orders, regulations or other legislative or executive actions within the scope of any such ordinance or by-law are necessary in the exercise of any power or function authorized by such ordinance or by-law, any such actions which are to be taken by a city council or town meeting may be taken by ordinance, by-law, resolution, order or vote, and any such actions which are to be taken by executive officers may be taken in any appropriate manner, subject, however, as to both such categories, to all provisions of the ordinance or by-law in question, the city or town charter, and other applicable law. Any requirement that an ordinance or by-law be entitled as such, or that it contain the word "ordained," "enacted" or words of similar import shall not affect the validity of any action which is required to be taken by ordinance or by-law. Nothing in this section shall be construed to permit any city or town, by ordinance or by-law, to exercise any power or function which is inconsistent with any general law enacted by the general court before November eighth, nineteen hundred and sixty-six which applies alike to all cities, or to all towns, or to all cities and towns, or to a class of not fewer than two. No exercise of a power or function denied to the city or town, expressly or by clear implication, by special laws having the force of a charter under section nine of said Article, and no change in the composition, mode of election or appointment, or terms of office of the legislative body, the mayor or city manager or the board of selectmen or town manager, may be accomplished by by-law or ordinance. Such special laws may be made inapplicable, and such changes may be accomplished, only under procedures for the adoption, revision or amendment of a charter under this chapter.

## Deadly Force Laws

**Part III Title II Chpt. 233: [Section 23F](#)** Admissibility of past physical, sexual or psychological abuse of defendant

**Part IV, Title II, Chapter 278: [Section 8A](#).** Killing or injuring a person unlawfully in a dwelling; defense

## 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

### **Large Capacity Feeding Devices: Part I, Title XX Chpt. 140 [Section 131M](#)**

The sale, offering for sale, transfer or possession of large capacity feeding devices for assault weapons (as defined under Mass. Gen. Laws ch. 140, § 121), is prohibited unless such device was lawfully possessed on September 13, 1994. Ch. 140, § 131M.

Under Massachusetts law, a “large capacity feeding device” is defined as: “(i) a fixed or detachable magazine, box, drum, feed strip or similar device capable of accepting, or that can be readily converted to accept, more than ten rounds of ammunition or more than five shotgun shells; or (ii) a large capacity ammunition feeding device as defined in the federal Public Safety and Recreational Firearms Use Protection Act, 18 U.S.C. section 921(a)(31) as appearing in such section on September 13, 1994.” Ch. 140, § 121. This does not include “an attached tubular device designed to accept, and capable of operating only with, .22 caliber ammunition.” *Id.*

Large capacity feeding devices designed for large capacity rifles and shotguns may be lawfully possessed by a holder of an LTC. Ch. 140, § 131(a), (b)(ii). Large capacity feeding devices designed for handguns may be possessed only by persons holding an LTC. Ch. 140, § 131(a).

The Massachusetts Secretary of Public Safety (“Secretary”) is required to compile and publish a roster of large capacity handguns, rifles, shotguns and feeding devices for those firearms, as those weapons and devices are defined in Ch. 140, § 121. Ch. 140, § 131 3/4. The Secretary may amend the roster upon his or her own initiative, upon the initiative of the Gun Control Advisory Board under Ch. 140, § 131 1/2, or upon the petition of any person seeking to place a weapon on or remove a weapon from the roster. Ch. 140, § 131 3/4.

### **Stun Devices/Electric Weapons**

**Part I, Title 20 XX, Chapter 140: [Section 131J](#)** The US Supreme Court struck down the Massachusetts Ban on Stun Guns. They can be owned and kept in your home **but they may not be legal to carry outside the home**. See the Supreme Court Decision [Here](#) that ruled they were legal to own.

**Note:** (4/17/18) The Massachusetts Supreme Court has put out their "[Ruling](#)" (After the US Supreme Ct forced them with above ruling) that the Stun Gun Ban is unconstitutional. Massachusetts can just ban them as they fall under the 2<sup>nd</sup> Amendment. Massachusetts will most likely pass a law or Admin Rule to make possession outside the home/business require a license to carry and most likely other restrictions.

### **Chemical Sprays:**

#### **Part I, Title XX, Chapter 140: [Section 122D \(vi\)](#)**

(vi) at the time of the application, is at least 15 years of age but less than 18 years of age unless the applicant submits with the application a certificate from the applicant's parent or guardian granting the applicant permission to apply for a card; (Those 18 and older do not need a FOID Card)

## LEOSA State Information

### [Massachusetts LEOSA Info 1](#)

### [Massachusetts LEOSA Information 2](#)

www.handgunlaw.us



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

## Attorney General Opinions/Court Cases

[MA US District Court – Resident Aliens Can Obtain Permit to Keep Firearms in Their Homes.](#)

[MA Superior Ct Suffolk Co. – Suitable Person and Revoking Permit](#)

[U.S. Supreme Ct – Massachusetts Stun Gun Ban Reversed by Court. \(3/16\)](#)

[MA Supreme Ct – Mass Stun Gun Ban Unconstitutional](#) (4/18)

## Airport Carry/Misc. Information

**Airport Carry:** See Places off Limits Even with a Permit/License Above.

**Training Valid for:** No time period specified.

**Time Period to Establish Residency:** Upon obtaining a Massachusetts Drivers License/ID

**Minimum Age for Permit/License:** 21

**Permit/License Info Public Information:** NO

**State Fire arm Laws:** 140-129B thru 140-131P

**State Deadly Force Laws:** Chpt 278 -8A & 231-85U

**State Knife Laws:** 269-10 thru 269-12 & 71-37H

**Chemical/Electric Weapons Laws:** 140.121 & 140-131J

**Body Armor Laws:** 269-10D

**Does Your Permit Cover Other Weapons Besides Firearms?** YES Part IV Title I  
Chapter 269 Sec 10

**Is carrying of a Concealed Firearm with Permit/License for Defensive Purposes Only While Hunting Legal?** NO MA Dept of Fish & Wildlife Regs

## Notes

### What Does MA Consider A Loaded Firearm?

Part IV Crimes, Punishments And Proceedings in Criminal Cases

Title I Crimes And Punishments

Chapter 269 Crimes Against Public Peace

Section 12D Rifle or shotgun loaded with shells or cartridges; unloaded rifle or shotgun; carrying on public way prohibited; exceptions; punishment

**Section 12D.** (a) Except as exempted or provided by law, no person shall carry on his person on any public way a loaded rifle or shotgun having cartridges or shells in either the magazine or chamber thereof. For purposes of this section, “loaded shotgun or loaded rifle” shall mean any shotgun or rifle having ammunition in either the magazine or chamber thereof, such ammunition including a live cartridge, primer (igniter), bullet or propellant powder designed for use in any firearm, rifle or shotgun

and, in the case of a muzzle loading or black powder shotgun or rifle, containing powder in the flash pan, a percussion cap and shot or ball; but the term “loaded shotgun or loaded rifle” shall not include a shotgun or rifle loaded with a blank cartridge, which contains no projectile within such blank or within the bore or chamber of such shotgun or rifle.

## **State Emergency Powers**

### **What is a Gubernatorial State of Emergency?**

The Governor of the Commonwealth of Massachusetts is authorized under state law to declare a Gubernatorial State of Emergency upon the occurrence of a natural or man-made disaster. The law gives the Governor broad authorities to implement emergency measures to ensure the safety and health of the residents of the Commonwealth, take appropriate steps to mobilize state assets, and conduct other emergency business for the protection of the Commonwealth. A Gubernatorial State of Emergency (SOE) is initiated when it becomes necessary for the Governor to assume command (direction and control) for the efficient utilization of the total resources of the Commonwealth, in order to mitigate the effects on people and property of a large-scale threat, emergency or disaster.

There is a misconception that various restrictions or bans automatically are triggered when there is a Gubernatorial State of Emergency in place. This is not so. The declaration of a State of Emergency does not in itself affect the operation of private enterprise. Travel is not automatically banned; businesses and schools are not automatically closed. Many businesses do have contractual agreements with their employees regarding who does/does not have to report to work when a Gubernatorial State of Emergency is issued. Following the January 22-23, 2005 Blizzard, some businesses revisited their policies which were probably instigated by memories of the Blizzard of '78. The January 2005 Snowstorm presented some unique dilemmas for employers and employees, alike. There were no travel restrictions; also, the SOE was in place for the entire Commonwealth from January 22<sup>nd</sup> through 26<sup>th</sup>, in large regard, due to the major snow removal issues on the South Shore and Cape Cod.

A SOE may be accompanied by a request by the Governor to stay off the roads, to release employees early, or to stagger arrival at work, in order to promote Public Safety. Such actions, however, are usually in the form of a request, not an order. In extreme circumstances, the Governor, as part of his SOE, may order roads be closed to all but emergency traffic, restricting normal travel, such as occurred during and immediately following the Blizzard of '78.

The Governor is authorized to exercise certain powers when a SOE is declared, including the power to exercise any and all authority over persons and property necessary for meeting the State of Emergency, including the taking and using of property for the protection of the Commonwealth. Actions such as ordering evacuations, restricting access, implementing curfews, driving bans or restrictions, etc. can be stated in the declaration to protect health and welfare if determined to be warranted.

The SOE may cover a specific municipality (a tornado), multiple communities or counties (a coastal storm), or the entire Commonwealth (a major blizzard). The governor is also authorized to issue Executive Orders to meet the needs of a threat, emergency or disaster. These Orders have the force of law and supersede existing law if there is any conflict between a law and the Executive Order.

The Governor looks to the Massachusetts Emergency Management Agency (MEMA) Director and her/his staff for recommendations concerning all matters related to carrying out the operational aspects of the Commonwealth's Emergency Management Program. Specifically, in case of any and all disasters, it is as a result of the recommendation from the MEMA Director that the Governor would declare a Gubernatorial SOE. The Governor may, on a recommendation by the Director, authorize assistance from various appropriate State Agencies, and request Federal Agency support allowable under existing Federal statutory

authority, to tender assistance. MEMA drafts the appropriate documentation for a Gubernatorial SOE and requests for Presidential Assistance when needed.

A Gubernatorial SOE does not mean that the state will provide financial assistance to cities and towns affected by the disaster. There is no Disaster Fund available to the Governor or the MEMA Director. State financial assistance may be made available by a vote of the Legislature following the declaration of a Gubernatorial SOE, because of the disaster. It is important to note that there are many instances when a Gubernatorial SOE is declared, however there is not a need for financial support to carry out emergency actions. Operational and financial recovery assistance may become available from the Federal Government following a disaster. It is predicated upon a Presidential Declaration of Emergency or Disaster, as we saw following the January 22-23, 2005 Blizzard, and requires the Governor's activation of the Massachusetts Comprehensive Emergency Management (CEM) Plan, with written justification that the Commonwealth and its political subdivisions have inadequate resources to cope with anticipated or existing consequences of the emergency or disaster.

The Governor is authorized with these broad emergency powers through a number of sources including the Massachusetts Constitution, which vests supreme executive power in the Governor, and Chapter 639 of the Massachusetts General Laws, which spells out the Commonwealth's preparation for and response to emergencies and disasters.

This article was originally printed in *City and Town*, a publication of the Massachusetts's Department of Revenue's Division of Local Services.

**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.

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

**Massachusetts** 21 Y/O [Part I, Title XX, Chapter 140, Section 130](#) You must possess a FID (Firearms Identification Card) to possess a handgun.

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





These image has been digitally assembled from other images. They may not be 100% accurate but give a good representation of the actual Permit/Licenses.

## Updates to this Page

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

- 1/1/17** – Missouri Added as Permitless Carry State to List of States Under Map at Top of Page.
- 2/8/17** – All Links Checked and Repaired if Needed.
- 2/24/17** – New Hampshire Added as Permitless Carry State to List of States Under Map at Top of Page.
- 8/20/17** – All Links Checked and Repaired if Needed.
- 2/10/18** – All Firearms Records Division Links Updated. They Redesigned Their Site. All Links Checked.
- 4/4/18** - Chemical Sparys Info in Chem Sprays/Stun Guns/Higher Cap Mags Section Updated.
- 4/24/18** – Massachusetts Supreme Court Ruling Stating Stun Gun Ban Unconstitutional Added to AG Opinions/Ct Case Section and Chem Sprays/Stun Gun/Higher Cap Mags Section Updated With Note On This Ruling.