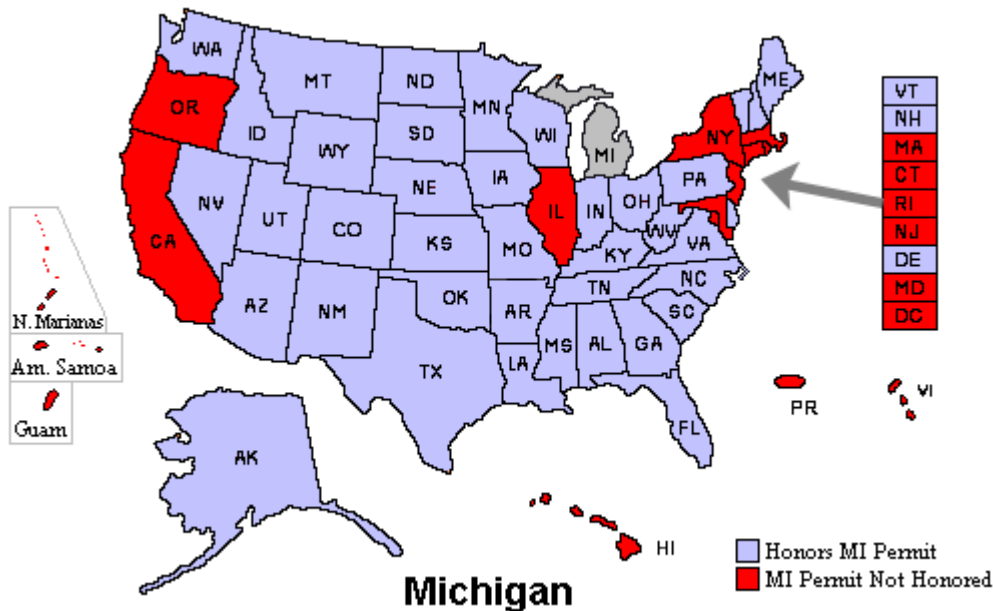


# Michigan

**Shall Issue**

**Must Inform Officer by Law: YES**

(See Must Inform Section Below)



## Links

[State CCW Site](#)

[2nd State CCW Site](#)

[CCW Application/Instructions](#)

[FAQs From MCRGO](#)

[State Statutes](#)

[State Admin Rules](#)

[State Reciprocity Info](#)

[State Attorney General](#)

[MI Firearm Laws](#)

[MSP Legal Update](#)

On CPL's 12/15

**Last Updated: 11/10/17**

**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.

## **Permits/Licenses This State Honors Listed Below**

Michigan honors all other states Resident Permits/Licenses to carry concealed firearms.

**Michigan Does Not Honor Non-Resident Permits/Licenses. You must be a resident of the state they honor for your permit to be valid in Michigan.**

## **Reciprocity/How This State Honors Other States Permit/Licenses**

**28.422 License to Purchase, Carry, Possess, or Transport Pistol; Issuance; Qualifications; Applications; Sale of Pistol; Exemptions; Nonresidents; Basic Pistol Safety Brochure; Forging Application; Implementation During Business Hours.**

(9) An individual who is not a resident of this state is not required to obtain a license under this section if all of the following conditions apply:

- (a) The individual is licensed in his or her state of residence to purchase, carry, or transport a pistol.
- (b) The individual is in possession of the license described in subdivision (a).
- (c) The individual is the owner of the pistol he or she possesses, carries, or transports.
- (d) The individual possesses the pistol for a lawful purpose.
- (e) The individual is in this state for a period of 180 days or less and does not intend to establish residency in this state.

## How to Apply for a Permit

**28.425** To obtain a license to carry a concealed pistol, an individual shall apply to the county clerk in the county in which the individual resides. Each applicant shall pay an application and licensing fee for Initial or Renewal of \$115.00.

County clerks shall provide concealed pistol application kits during normal business hours free of charge to individuals who wish to apply for licenses to carry concealed pistols. Each kit shall only contain all of the following:

- A concealed pistol license application form provided by the director of the department of state police.
- The fingerprint cards under section 5b(10), if required.
- Written information regarding the procedures involved in obtaining a license to carry a concealed pistol.
- Written information identifying entities that offer the training required under section 5b(7)(c), if maintained by the county clerk.

A county clerk shall not deny an individual the right to receive a concealed pistol application kit under this section.

**28.425k** (1) Acceptance of a license issued under this act to carry a concealed pistol constitutes implied consent to submit to a chemical analysis under this section.

**28.425b** (7) (b) If the individual holds a valid concealed pistol license issued by another state at the time the applicant's residency in this state is established, the county clerk shall waive the 6-month residency requirement and the applicant may apply for a concealed pistol license at the time the applicant's residency in this state is established. For the purposes of this section, a person is considered a legal resident of this state if any of the following apply:

- The individual has a valid, lawfully obtained driver license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300.
- The individual is lawfully registered to vote in this state.
- The individual is on active duty status with the United States armed forces and is stationed outside of this state, but the individual's home of record is in this state.
- The individual is on active duty status with the United States Armed Forces and is permanently stationed in this state, but the person's home of record is in another state.

**28.425a** (4) A county clerk shall issue an emergency license to carry a concealed pistol to an individual if the individual has obtained a personal protection order issued under section 2950 or 2950a of the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and 600.2950a, or to that individual if a county sheriff determines that there is clear and convincing evidence to believe the safety of the individual or the safety of a member of the individual's family or household is endangered by the individual's inability to immediately obtain a license to carry a concealed pistol. Clear and convincing evidence includes, but is not limited to, an application for a personal protection order, police reports and other law enforcement records, or written, audio, or visual evidence of threats to the individual or member of the individual's family or household.

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A pistol training or safety program described in section 5b(7)(c) meets the requirements for knowledge or training in the safe use and handling of a pistol only if the training was provided within 5 years preceding the date of application and consisted of not less than 8 hours of instruction and all of the conditions are met.

[28.425l](#) (1) A license to carry a concealed pistol, including a renewal license, is valid until the applicant's date of birth that falls not less than 4 years or more than 5 years after the license is issued or renewed, as applicable.

[28.425b](#) (1) The State has 45 days to issue a permit.

**Note:** All the forms and information you should need to apply should be in the "Permit Application Kit" given out by the County Clerk. They "should" have a listing of Certified Trainers in the Area. For additional Information on all the forms go [Here](#)

[Calhoun Co Clerk](#)

[Clinton Co. Clerk](#)

[Eaton Co. Clerk](#)

[Ingham Co. Clerk](#)

[Wayne Co. Clerk](#)

## Non-Resident Permits

[28.425b](#) (7) (b) ...If the applicant holds a valid concealed pistol license issued by another state at the time the applicant's residency in this state is established, the county clerk shall waive the 6-month residency requirement and the applicant may apply for a concealed pistol license at the time the applicant's residency in this state is established. For the purposes of this section, **An Individual is considered a legal resident of this state if any of the following apply:**

- (i) The Individual has a valid, lawfully obtained driver license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300.
- (ii) The Individual is lawfully registered to vote in this state.
- (iii) The Individual is on active duty status with the United States armed forces and is stationed outside of this state, but the person's home of record is in this state.
- (iv) **The Individual is on active duty status with the United States armed forces and is permanently stationed in this state, but the person's home of record is in another state.**

**Note:** Check with the County Clerk if moving into Michigan with a permit from another state or military with permanent duty station in Michigan. They should have all the information you need.

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

[750.222](#) As used in this chapter:

(c) "Brandish" means to point, wave about, or display in a threatening manner with the intent to induce fear in another person.

[28.425o](#) **Premises on which carrying concealed weapon or portable device that uses electro-muscular disruption technology prohibited; "premises" defined; exceptions to subsections (1) and (2); violation; penalties.**

**Sec. 5o.**

(1) Subject to subsection (5), an individual licensed under this act to carry a concealed pistol, or who is exempt from licensure under section 12a(h), shall not carry a concealed pistol on the premises of any of the following:

- (a) A school or school property except that a parent or legal guardian of a student of the school is not precluded from carrying a concealed pistol while in a vehicle on school property, if he or she is dropping the student off at the school or picking up the student from the school. As used in this section,

"school" and "school property" mean those terms as defined in section 237a of the Michigan penal code, 1931 PA 328, MCL 750.237a.

- (b) A public or private child care center or day care center, public or private child caring institution, or public or private child placing agency.
  - (c) A sports arena or stadium.
  - (d) A bar or tavern licensed under the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303, where the primary source of income of the business is the sale of alcoholic liquor by the glass and consumed on the premises. This subdivision does not apply to an owner or employee of the business. The Michigan liquor control commission shall develop and make available to holders of licenses under the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303, an appropriate sign stating that "This establishment prohibits patrons from carrying concealed weapons". The owner or operator of an establishment licensed under the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303, may post the sign developed under this subdivision.
  - (e) Any property or facility owned or operated by a church, synagogue, mosque, temple, or other place of worship, unless the presiding official or officials of the church, synagogue, mosque, temple, or other place of worship permit the carrying of concealed pistol on that property or facility.
  - (f) An entertainment facility with a seating capacity of 2,500 or more individuals that the individual knows or should know has a seating capacity of 2,500 or more individuals or that has a sign above each public entrance stating in letters not less than 1-inch high a seating capacity of 2,500 or more individuals.
  - (g) A hospital.
  - (h) A dormitory or classroom of a community college, college, or university.
- (2) Subject to subsection (5), an individual shall not carry a portable device that uses electro-muscular disruption technology on any of the premises described in subsection (1).
- (3) An individual licensed under this act to carry a concealed pistol, or who is exempt from licensure under section 12a(h), shall not carry a concealed pistol in violation of **R 432.1212** of the Michigan Administrative Code promulgated under the Michigan gaming control and revenue act, 1996 IL 1, MCL 432.201 to 432.226.
- (4) As used in subsection (1), "premises" does not include parking areas of the places identified under subsection (1). **History:** Add. 2000, Act 381, Eff. July 1, 2001 ; . . . . Am. 2017, Act 95, Eff. Oct. 11, 2017

### **R 432.1212 Weapons in Casino.**

- (1) An individual may not carry a firearm or other weapon in a casino, except for the following entities:
- (a) State, county, city, township, or village law enforcement officers, as defined in section 2(e) of Act No. 203 of the Public Acts of 1965, as amended, being § 28.601 et seq. of the Michigan Compiled Laws.
  - (b) Federal law enforcement officers, as defined in 5 U.S.C. § 8331.
  - (c) Armored car personnel picking up or delivering currency at secured areas.
- (2) Law enforcement officers conducting official duties within a casino shall, to the extent practicable, advise the Michigan state police gaming section of their presence.
- (3) Private casino security personnel may carry handcuffs while on duty in a casino. **History:** 1998-2000 AACs.

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Administrative Order 2001-1 of the Michigan Supreme Court: "Weapons are not permitted in any courtroom, office, or other space used for official court business or by judicial employees unless the chief judge or other person designated by the chief judge has given prior approval consistent with the court's written policy."

**28.519 Implied consent to submit to chemical analysis; certificate holder under influence of alcoholic liquor or controlled substance; violation; penalty; exception; collection and testing of breath, blood, and urine specimens; refusal to take chemical test; report of violation to commission.**

(3) This section does not prohibit an individual certified under this act to carry a concealed firearm who has any bodily alcohol content from transporting that firearm in the locked trunk of his or her motor vehicle or another motor vehicle in which he or she is a passenger or, if the vehicle does not have a trunk, from transporting that firearm unloaded in a locked compartment or container that is separated from the ammunition for that firearm or on a vessel if the firearm is transported unloaded in a locked compartment or container that is separated from the ammunition for that firearm.

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

**MI St University - University of MI - Wayne St. University – All Other Col./Univ.**

**Note:** See AG Opinions/Ct Case Section on Ruling that University of MI can ban Firearms. All Colleges/Universities besides the three listed may have the authority to ban firearms on their campus. Under Michigan law there are many different opinions on what schools have this authority and what ones don't and even if some do/don't have authority. It has to do with how the schools were established. As you can see in the Places Off Limits Section above the MI State Police state no firearms in Dorms or Classrooms. This is state law but the Colleges/Universities have made rules/regs that do have the force of law that can go beyond what state law states. From all Handgunlaw.us is hearing for this to be settled one way or the other will require a court case. Until that time check with the College/University to find their rules/regs on firearms.

MSU, UM and WSU have special status in the MI Constitution and elect their Board of Regents. Since they are elected the state preemption law does not apply to Michigan State University, University of Michigan and Wayne State University. They can pass Ordinances that ban the carry of firearms anywhere on their campus. Ordinances are below.

You can't carry on any property of the University of Michigan or Wayne State University even with a valid permit/license to carry in the state of Michigan. Michigan State University follows state law and you can have a firearm on you and in your vehicle as long as you do not go into any building on campus if you have a valid permit/license to carry in Michigan.

If Major Streets or Roads travel through the Univ. of MI or Wayne State Univ. you can drive using these streets roads in your travels if you do not stop on Campus. That is the understanding I have received. Do use caution when traveling through Univ. of MI and Wayne State Univ. Property. They have the legal authority to pass ordinances that ban the carrying of firearms on their property.

**Michigan State University**

**18.00 Firearms or Weapons**

**18.01** Possession prohibited; exceptions

**18.02** Use of chemicals prohibited

**18.03** Use prohibited; exceptions

**18.04** Not applicable to police officers

**18.05** Relationship to University policy

**.01 Except as permitted by state law regulating firearms, no person shall possess any firearm or weapon anywhere upon property governed by the Board. Persons residing on property governed by the Board shall**

store any and all firearms and weapons with the Department of Police and Public Safety.

**.02** No person shall possess any chemical, biological, radioactive, or other dangerous substance or compound, with the intent of using the same to injure, molest, or coerce another, anywhere upon property governed by the Board.

**.03** The use of any firearm or weapon is prohibited upon property governed by the Board except those areas specifically set aside and supervised at range facilities, or as part of the regular education process, or as outlined in Ordinance 37.02 and its subsections.

**.04** This ordinance shall not apply to Police Officers and other legally established law enforcement officers.

**.05** This ordinance does not alter the terms of any University policies that regulate the use or possession of firearms. Enacted: September 15, 1964 Amended: December 11, 1987 Amended: December 10, 1994 Amended: April 14, 1995 Amended: April 12, 2002 Amended: June 19, 2009

## **University of Michigan**

### **Article X: Weapons**

#### **Section 1. Scope of Article X**

Article X applies to all property owned, leased or otherwise controlled by the Regents of the University of Michigan and applies regardless of whether the Individual has a concealed weapons permit or is otherwise authorized by law to possess, discharge, or use any device referenced below.

#### **Section 2. Possession of Firearms, Dangerous Weapons and Knives**

Except as otherwise provided in Section 4, no person shall, while on any property owned, leased, or otherwise controlled by the Regents of the University of Michigan:

- (1) possess any firearm or any other dangerous weapon as defined in or interpreted under Michigan law or
- (2) wear on his or her person or carry in his or her clothing any knife, sword or machete having a blade Longer than four (4) inches, or, in the case of a knife with a mechanism to lock the blade in place when open, longer than three (3) inches.

#### **Section 3. Discharge or Use of Firearms, Dangerous Weapons and Knives**

Except as otherwise provided in Section 4, no person shall discharge or otherwise use any device listed in the preceding section on any property owned, leased, or otherwise controlled by the Regents of the University of Michigan.

#### **Section 4. Exceptions**

- (1) Except to the extent regulated under Subparagraph (2), the prohibitions in this Article X do not apply:
  - (a) to University employees who are authorized to possess and/or use such a device pursuant to Standard Practice Guide 201.94;
  - (b) to non-University law enforcement officers of legally established law enforcement agencies or to Other non-University employees who, in either situation, are authorized by their employer to possess or use such a device during the time the employee is engaged In work requiring such a device;
  - (c) when someone possess or uses such a device as part of a military or similar uniform or costume In connection with a public ceremony or parade or theatrical performance;
  - (d) when someone possesses or uses such a device in connection with a regularly scheduled educational recreational or training program authorized by the University;
  - (e) when someone possess or uses such a device for recreational hunting on property which has been designated for such activity by the University provided such possession and use is in strict compliance with applicable law; or
  - (f) when the Director of the University's Department of Public Safety has waived the prohibition based



on extraordinary circumstances. Any such waiver must be in writing and must define its scope and duration.

- (2) The Director of the Department of Public Safety may impose restrictions upon individuals who are otherwise authorized to possess or use such a device pursuant to Subsection (1) when the Director determines that such restrictions are appropriate under the circumstances.

## **Section 5. Violation Penalty**

A person who violates this Article X is guilty of a misdemeanor, and upon conviction, punishable by imprisonment for not less than ten (10) days and no more than sixty (60) days, or by a fine of not more than fifty dollars (\$50.00) or both.

### **Wayne State University**

#### **9.6 Workplace Violence**

##### **Policy**

Wayne State University is committed to providing a work and educational environment which is free from threats, assaults or acts of violence. No person will be allowed to harass or assault any other person by exhibiting violent behavior including, but not limited to, the following:

The University prohibits certain items from being brought onto University property. Those prohibited items include: all types of firearms, switchblade knives, knives with a blade length of more than 3 inches, explosives and any other object carried for the purpose of injuring or intimidating.

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

**“NO ???”**

**There is not a law specifically stating that No Gun Signs have the force of law in Michigan. Handgunlaw.us is getting conflicting information from sources in Michigan. Some are stating you could be charged with Trespass if you go by a sign. Others say they have to ask you to leave first. If you don't leave immediately then you are trespassing. Below are two sources of information. Use caution.**

**Frequently Asked Question From [MCRGO](#)  
Michigan Coalition For Responsible Gun Owners.**

**Q: Is there a specific design for the no gun allowed sign? Does the law say where it has to be placed at a business, such as on the door or adjacent window leading into the business?**

**A:** There are no specifications for "No Guns" or "No Weapons" signs in Michigan law. Under the law, there are two ways for a CPL holder to know that guns are not allowed in a specific location. The first is the list of "Pistol Free Zones" (often colloquially referred to as violent criminal empowerment zones) that we must all memorize, which is part of the CPL statute ([Pistol Free Areas](#)).

The second is when the owner or lessor of any real property communicates to us that our guns are not welcome there. That communication must be reasonable in order to be effective. By reasonable, I don't mean polite. I mean that there is an effective means of communicating to us that we are not welcome so long as we are carrying our guns. This can be done with a sign, verbally, or in some kind of printed material.

For instance, if there is a reasonably-sized and located sign in a retail establishment indicating that guns or weapons are not allowed, that would constitute reasonable notice. If an employee of the same establishment actually tells you that you may not carry on the premises, that would constitute reasonable notice. If your employer has an employee handbook or some kind of printed guidelines, and includes a prohibition on guns

and/or weapons, that would constitute reasonable notice.

If you choose to ignore any such reasonable notice, then you become a trespasser rather than a business invitee. Trespass can be punished as a crime and/or in civil court, and could affect your CPL licensing status.

*Steve Dulan (www.StevenWDulan.com) is a member of the Board of Directors of the MCRGO and the MCRGO Foundation, and a member of the Board of Trustees of the MCRGO Foundation. He is an attorney in private practice in East Lansing and Adjunct Professor of firearms law at The Thomas M. Cooley Law School. as well as an Endowment Member of the NRA.*

Also see [Question #7](#) at [Michigan Open Carry](#) for their take on No Gun Signs.

**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?

“YES”

[28.425f](#) (3) An individual licensed under this act to carry a concealed pistol and who is carrying a concealed pistol or a portable device that uses electro-muscular disruption technology and who is stopped by a peace officer shall immediately disclose to the peace officer that he or she is carrying a pistol or a portable device that uses electro-muscular disruption technology concealed upon his or her person or in his or her vehicle.

From MCRGO (Michigan Coalition for Responsible Gun Owners)

**Q: If I am a passenger in a car that is pulled over and I am carrying my pistol, do I have to disclose to the officer who comes up to the driver's window that I am carrying?**

**A:** Yes. MCL 28.425f states: " (3) An individual licensed under this act to carry a concealed pistol and who is carrying a concealed pistol and who is stopped by a peace officer shall immediately disclose to the peace officer that he or she is carrying a pistol concealed upon his or her person or in his or her vehicle." If the vehicle you are riding in has stopped, you have been stopped, and must disclose immediately to the officer that you are armed. Obviously, you want to state this fact in a businesslike and calm manner. Have some sympathy for the position of the law enforcement officer, and let him or her know that you are disclosing as required by law. Some officers recommend that you hand over your CPL and Driver's License together as your method of disclosing. Remember that you must carry your CPL at all times that you are carrying a concealed pistol, as well as your Driver's License or state-issued ID card.

**Q: If I get pulled over by the police while I am lawfully carrying a concealed pistol, is it considered sufficient notice to hand over my Concealed Pistol License (CPL) with my Driver's License?**

**A:** Maybe not.

MCL 28.425f(3) states: "An individual licensed under this act to carry a concealed pistol and who is carrying a concealed pistol and who is stopped by a peace officer shall immediately disclose to the peace officer that he or she is carrying a pistol concealed upon his or her person or in his or her vehicle." The penalty for a first offense includes a \$100 fine, and a CPL suspension of up to six months.

In one recent case, the driver handed his CPL over to the officer who stopped him. He did this because he had been told by a reliable source (an experienced police officer from another jurisdiction) that it is



considered dangerous to use the word "gun" when talking to an officer on the road side since officers yell, "Gun!" to one another when a dangerous person displays a firearm. The driver was ticketed for the non-disclosure. In subsequent trial, the dashboard video camera record showed that it was approximately 40 seconds after the officer arrived at the driver's window that the driver verbally disclosed his concealed pistol.

The court found that the simple act of handing over the CPL was not adequate disclosure and that the 40-second delay before verbally disclosing was not "immediate disclosure."

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

### Carry Allowed in these Areas:

**State Parks:** YES Act 451 of 1994 [324.504](#) (6)

**State/National Forests:** YES Act 451 of 1994 [324.504](#) (6)

**State WMA's:** YES Act 451 of 1994 [324.504](#) (6)

**Road Side Rest Areas:** YES

## RV/Car Carry Without a Permit/License

You can not a carry a loaded firearm in any vehicle without a Valid Permit/License to Carry.

### **750.227d Transporting or Possessing Firearm in or Upon Motor Vehicle or Self-Propelled Vehicle Designed for Land Travel; Conditions; Violation as Misdemeanor; Penalty.**

(1) Except as otherwise permitted by law, a person shall not transport or possess in or upon a motor vehicle or any self-propelled vehicle designed for land travel either of the following:

- (a) A firearm, other than a pistol, unless the firearm is unloaded and is 1 or more of the following:
- (i) Taken down.
  - (ii) Enclosed in a case.
  - (iii) Carried in the trunk of the vehicle.
  - (iv) Inaccessible from the interior of the vehicle.

(2) A person who violates this section is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$100.00, or both.

### **750.231a Exceptions to MCL 750.227(2); Definitions.**

(d) To a person while transporting a pistol for a lawful purpose that is licensed by the owner or occupant of the motor vehicle in compliance with section 2 of 1927 PA 372, MCL 28.422, and the pistol is unloaded in a closed case designed for the storage of firearms in the trunk of the vehicle.

(e) To a person while transporting a pistol for a lawful purpose that is licensed by the owner or occupant of the motor vehicle in compliance with section 2 of 1927 PA 372, MCL 28.422, and the pistol is unloaded in a closed case designed for the storage of firearms in a vehicle that does not have a trunk and is not readily accessible to the occupants of the vehicle.

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

Open Carry is legal with restrictions. You must have a valid permit/license to carry a loaded handgun in a vehicle in Michigan. For Residents of Michigan without a CPL you must carry a firearm registered to you. For Non Residents if you do not have a permit/license from your state of residents Concealed and/or Open

Carry is not an option for you. Places as listed in the “Places Off Limits” above **may not** apply to those who open carry. (See state orgs for more information on places off limits when open carrying) Those who Open Carry without a valid Permit/License to Carry “**Can’t**” carry on the property of businesses that sell Alcohol and this includes Grocery Stores that sell alcohol. Open Carry is common in Michigan more so in the rural areas. See the “RV/Car Carry Without a Permit” section for carrying in a vehicle.

The state preempts all firearm laws in the state and local authorities can’t have Laws/Ordinances against open carry. Remember that if you enter any property and the owner/responsible person ask you to leave you must leave. Failure to leave can result in Trespass Charges. The Minimum age for Open Carry is 18. Check here for carry laws for Michigan from the [Michigan State Police](#). The Michigan State police also put out a [Legal Update on Open Carry](#).

This is not the last word on Open Carry in this state. Check at [www.opencarry.org](http://www.opencarry.org) or go to Google and type in State Name Open Carry or Open Carry State Name for a search for open carry info in this state. Check with the [State's RKBA](#) Organization/s. Michigan has very active RKBA Orgs which have a lot of information. Also see “Attorney General Opinions/Court Cases” Section for any written opinions/Cases on Open Carry.

**Note:** Handgunlaw.us advises you to check out [MI Open Carry](#) and [MCRGO](#) for more detailed information. You will also find info on Open Carry from the CMDA Attorneys & Counselors at Law [Here](#). Also See AG Opinions/Court Case Section Below for AG opinion on Open Carry.

## State Preemption

### Firearms and Ammunition (Excerpt) Act 319 of 1990

#### [123.1102](#) Regulation of Pistols or Other Firearms.

**Sec. 2.** A local unit of government shall not impose special taxation on, enact or enforce any ordinance or regulation pertaining to, or regulate in any other manner the ownership, registration, purchase, sale, transfer, transportation, or possession of pistols, other firearms, or pneumatic guns, ammunition for pistols or other firearms, or components of pistols or other firearms, except as otherwise provided by federal law or a law of this state.

Also see [Capital Area District Library v. Michigan Open Carry, Inc.](#),

## Deadly Force Laws

[600.2922b](#) Use of deadly force or other than deadly force by individual in self-defense; immunity from civil liability.

[600.2922c](#) Individual sued for using deadly force or force other than deadly force; award of attorney fees and costs; conditions

[750.200i](#) Unlawful acts; penalties.

[750.200j](#) Additional unlawful acts; penalties.

[750.200k](#) Applicability of § 750.200h to 750.200j; exceptions.

[768.21c](#) Use of deadly force by individual in own dwelling; "dwelling" defined.

[780.951](#) Individual using deadly force or force other than deadly force; presumption; definitions

[780.971](#) Short title.

[780.972](#) Use of deadly force by individual not engaged in commission of crime; conditions.

[780.973](#) Duty to retreat; effect of act on common law.

[780.974](#) Right to use deadly force; effect of act on common law.

## Knife Laws State/Cities

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

## Carry in Restaurants That Serve Alcohol

**YES**     [28.425o.](#)

**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

### Stun Devices/Electric Weapons

#### Stun Gun Law Becomes Effective Aug. 6, 2012

[750.224a](#) –Portable Device or Weapon Directing Electrical Current, Impulse, Wave, or Beam; Sale or Possession Prohibited; Exceptions; Use of Electro-Muscular Disruption Technology; Violation; Penalty; Definitions.

**Sec. 224a.** (Edited for Space Considerations)

(1) Except as otherwise provided in this section, a person shall not sell, offer for sale, or possess in this state a portable device or weapon from which an electrical current, impulse, wave, or beam may be directed, which current, impulse, wave, or beam is designed to incapacitate temporarily, injure, or kill.

(2) This section does not prohibit any of the following:

(b) The possession and reasonable use of a device that uses electro-muscular disruption technology by an individual who holds a valid license to carry a concealed pistol under section 5b of 1927 PA 372, MCL 28.425, and who has been trained under subsection (5) in the use, effects, and risks of the device.

(5) An authorized dealer or other person who sells a device that uses electro-muscular disruption technology to an individual described in subsection (2)(b) shall verify the individual’s identity and verify that the individual holds a valid concealed pistol license issued under section 5b of 1927 PA 372, MCL 28.425b, and shall provide to the individual purchasing the device, at the time of the sale, training on the use, effects, and risks of the device. A person who violates this subsection is guilty of a misdemeanor punishable by imprisonment for not more than 30 days or a fine of not more than \$500.00, or both.

(6) An individual described in subsection (2) shall not use a device that uses electro-muscular disruption technology against another person except under circumstances that would justify the individual's lawful use of physical force. An individual who violates this subdivision is guilty of a misdemeanor punishable by imprisonment for not more than 2 years or a fine of not more than \$2,000.00, or both.

(7) As used in this section:

(a) "A device that uses electro-muscular disruption technology" means a device to which both of the following apply:

(i) The device is capable of creating an electro-muscular disruption and is used or intended to be used as a defensive device capable of temporarily incapacitating or immobilizing a person by the direction or emission of conducted energy.

(ii) The device contains an identification and tracking system that, when the device is initially used, dispenses coded material traceable to the purchaser through records kept by the manufacturer, and the manufacturer of the device has a policy of providing that identification and tracking information to a police agency upon written request by that agency. However, this subdivision does not apply to a launchable device that is used only by law enforcement agencies.

**Note:** The seller will give you the training. From the way I understand the law the seller is responsible for giving the training so resale by a non dealer may not be legal.

### **Chemical Sprays:**

**750.224d** (1) As used in this section and section 224, "self-defense spray or foam device" means a device to which all of the following apply:

(a) The device is capable of carrying, and ejects, releases, or emits 1 of the following:

(i) Not more than 35 grams of any combination of orthochlorobenzalmalononitrile and inert ingredients.

(ii) A solution containing not more than 10% oleoresin capsicum.

(b) The device does not eject, release, or emit any gas or substance that will temporarily or permanently disable, incapacitate, injure, or harm a person with whom the gas or substance comes in contact, other than the substance described in subdivision (a)(i) or (ii).

(2) Except as otherwise provided in this section, a person who uses a self-defense spray or foam device to eject, release, or emit orthochlorobenzalmalononitrile or oleoresin capsicum at another person is guilty of a misdemeanor, punishable by imprisonment for not more than 2 years, or a fine of not more than \$2,000.00, or both.

(3) If a person uses a self-defense spray or foam device during the commission of a crime to eject, release, or emit orthochlorobenzalmalononitrile or oleoresin capsicum or threatens to use a self-defense spray or foam device during the commission of a crime to temporarily or permanently disable another person, the judge who imposes sentence upon a conviction for that crime shall consider the defendant's use or threatened use of the self-defense spray or foam device as a reason for enhancing the sentence.

(4) A person shall not sell a self-defense spray or foam device to a minor. A person who violates this subsection is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500.00, or both.

(5) Subsection (2) does not prohibit either of the following:

(a) The reasonable use of a self-defense spray or foam device containing not more than 10% oleoresin capsicum by a person who is employed by a county sheriff or a chief of police and who is

authorized in writing by the county sheriff or chief of police to carry and use a self-defense spray or foam device and has been trained in the use, effects, and risks of the device, while in performance of his or her official duties.

(b) The reasonable use of a self-defense spray or foam device containing not more than 10% oleoresin capsicum by a person in the protection of a person or property under circumstances that would justify the person's use of physical force.

**Note:** Law still states, "Emits 1 of the following" so combination sprays are still illegal to possess. Tear Gas and Mace are illegal. Only a product listed in (a) above can be carried.

## LEOSA State Information

- [Michigan LEOSA Info.](#)
- [Michigan LEOSA Info from the State Police](#)
- [Michigan Commission On Law Enforcement Standards FAQs](#)
- [Michigan MCOLES LEOSA Information](#)

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

## Attorney General Opinions/Court Cases

- [Michigan AG - Park Carry](#)
- [Michigan AG - Handgun in Vehicles](#)
- [Michigan Appeals Ct on State Preemption](#)
- [Michigan AG – Short Barrel Firearms that shoot Shotgun Shells](#)
- [Michigan AG – CCW Ammo Restrictions While Hunting](#)
- [Michigan AG - AG Opinion on Suppressors](#)
- [Michigan Appeals Court Ruling on Stun Guns](#)
- [Michigan Appeals Ct on Carry in District Libraries](#) (MI Supreme Ct Refused to hear appeal to this case so this ruling stands)
- [Michigan Appeals Ct That Schools Can Ban Carry](#) (12/16)
- [Michigan Appeals Ct University of Michigan Can Ban Firearms](#) (6/17)

## Airport Carry/Misc. Information

**Airport Carry:** Parking Lot and Terminal OK 259.80f

**Training Valid for:** 5 Years

**Time Period to Establish Residency:** 6 Months. Waived with permit from another state. 28.425b (7)(b)

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

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

**State Reciprocity/How They Honor Other States Statute:** 28.422

**State Fire arm Laws:** Act 372 of 1927 28-421 thru 28-435

**State Deadly Force Laws:** Act 328 of 1931 750-200h thru 750-200k

**State Knife Laws:** Act 328 of 1931 750-226 thru 750-226a

**Chemical/Electric Weapons Laws:** 750-224a (Chem.) 750--224d (Elect)

**Body Armor Laws:** 750.227g

**Does Your Permit Cover Other Weapons Besides Firearms?** YES Firearms & Stun Guns.  
MCL 750.224a

**Is carrying of a Concealed Firearm with Permit/License for Defensive Purposes Only While Hunting Legal?** YES DNR Hunting & Trapping Digest

## Notes

### What Does MI Consider A Loaded Firearm?

#### [Transporting Firearms, Crossbows, and Bows and Arrows \(DNR Regulations\)](#)

These rules apply whether your vehicle is parked, stopped, moving or is on private or public property. Firearms must be unloaded in the barrel, and all arrows must be in a quiver when a hunter is afield outside the legal hunting hours.

At all times when carried in or on a motor vehicle, including snowmobiles:

- Rifles, shotguns, muzzleloading and other firearms must be unloaded in both barrel and magazine and enclosed in a case or carried in the trunk of a vehicle.
- Crossbows, slingshots, and bows and arrows must be enclosed in a case or unstrung or carried in the trunk of a vehicle.

At all times, when carried in or on an ORV:

- Rifles, shotguns, muzzleloading and other firearms must be unloaded in both barrel and magazine and enclosed in a case or equipped with and made inoperative by a manufactured keylocked trigger-housing mechanism.
- Crossbows, slingshots, and bows and arrows must be enclosed in a case or unstrung.

At all times, when carried in or on a motor-propelled boat or sailboat:

- Rifles, shotguns, muzzleloading and other firearms must be unloaded in both barrel and magazine when the motor is operating or the boat is under sail.
- Firearms may not be loaded until the forward momentum of the boat has ceased.

**Exception:** These rules do not apply to a pistol carried under authority of a concealed pistol license or properly carried under authority of a specific exception from the requirement of a concealed pistol license. See [Statewide Handgun Regulations](#).

A percussion cap muzzleloading longarm is considered unloaded if the percussion cap is removed. A flintlock muzzleloading longarm is considered unloaded if the cock is left down and the pan is open. Black powder handguns must be transported as stated above. A muzzleloading firearm that has an electric ignition system is considered unloaded if the battery is removed.



## State Emergency Powers

### Emergency Powers of Governor (Excerpt)

#### Act 302 of 1945

AN ACT authorizing the governor to proclaim a state of emergency, and to prescribe the powers and duties of the governor with respect thereto; and to prescribe penalties.

History: 1945, Act 302, Imd. Eff. May 25, 1945.

The People of the State of Michigan enact:

**10.31** Proclamation of state of emergency; promulgation of orders, rules, and regulations; seizure of firearms, ammunition, or other weapons.

**Sec. 1. (1)** During times of great public crisis, disaster, rioting, catastrophe, or similar public emergency within the state, or reasonable apprehension of immediate danger of a public emergency of that kind, when public safety is imperiled, either upon application of the mayor of a city, sheriff of a county, or the commissioner of the Michigan state police or upon his or her own volition, the governor may proclaim a state of emergency and designate the area involved. After making the proclamation or declaration, the governor may promulgate reasonable orders, rules, and regulations as he or she considers necessary to protect life and property or to bring the emergency situation within the affected area under control. Those orders, rules, and regulations may include, but are not limited to, providing for the control of traffic, including public and private transportation, within the area or any section of the area; designation of specific zones within the area in which occupancy and use of buildings and ingress and egress of persons and vehicles may be prohibited or regulated; control of places of amusement and assembly and of persons on public streets and thoroughfares; establishment of a curfew; control of the sale, transportation, and use of alcoholic beverages and liquors; and control of the storage, use, and transportation of explosives or inflammable materials or liquids deemed to be dangerous to public safety.

**(2)** The orders, rules, and regulations promulgated under subsection (1) are effective from the date and in the manner prescribed in the orders, rules, and regulations and shall be made public as provided in the orders, rules, and regulations. The orders, rules, and regulations may be amended, modified, or rescinded, in the manner in which they were promulgated, from time to time by the governor during the pendency of the emergency, but shall cease to be in effect upon declaration by the governor that the emergency no longer exists.

**(3)** Subsection (1) does not authorize the seizure, taking, or confiscation of lawfully possessed firearms, ammunition, or other weapons. History: 1945, Act 302, Imd. Eff. May 25, 1945;¾CL 1948, 10.31;¾Am. 2006, Act 546, Imd. Eff. Dec. 29, 2006.

**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 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.

**Michigan 18 Y/O**      [750.234f](#)

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

Michigan does not have a standard Permit/License. It can be a plastic card or paper. I do not know if there is any information on the reverse of these Licenses.

RI-13 (06/01) Michigan Concealed Pistols License			
Photo	LICENSE # 10850		
	NAME AND ADDRESS Gary J. Slider 455 Maple Ave Allen Park MI 48101		
	DOB	HEIGHT	EYES
	11/16/1988	5'10"	BLU
	SEX	M	
	CLERK'S SIGNATURE <i>Steve A. Standiford</i>		
	Wayne COUNTY		
	ISSUE DATE	EXPIRATION DATE	
	11/17/10	11/16/15	
	Authority: 2000 PA 381 Completion: Voluntary, but no license without information.		

RI-13 (04/03) Michigan Concealed Pistol License			
Photo	License # 234345A <input type="checkbox"/> Duplicate		
	<input checked="" type="checkbox"/> Exempt from pistol free zones, MCL 28.425o (4)		
	Last Name Slider		
	First Name Gary		
	Middle Jay		
	DOB	Sex	Height
	2/2/1970	M	5'10"
	Eyes	Blue	
	CLERK'S SIGNATURE <i>Steve A. Standiford</i>		
	Wayne COUNTY		
Issue Date	Expiration Date		
May 1, 2009	May 1, 2013		
Authority: Act of 1927 as amended. Completion voluntary. Penalty: No License			

Back of MI License

<p>This license allows the licensee to carry a pistol on or about his person anywhere in the state, except a licensee shall not carry a concealed pistol at a school, on school property, day care center, child placing agency, sports arena, stadium, bar or tavern where the primary source of income is sale of liquor by the glass, church, synagogue, mosque, temple or other place of worship, entertainment facility seating more than 2500 people, hospital, dormitory or classroom of a college or university or casino or as otherwise prohibited by law. Consult the statute for complete wording of pistol free zones</p> <p>RI-13a</p>
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Image above left is a sample image. Image on right 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. I have been told that the back of both sample fronts is the same.

## 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 Required.
- 2/24/17 – New Hampshire Added as Permitless Carry State to List of States Under Map at Top of Page.
- 6/1/17 - 28.425f Added to Must Inform Officer Section.
- 6/8/17 - Appeals Ct Ruling on Carry on University of MI Property Added to AG Opinions/Court Cases Section.
- 8/20/17 – All Links Checked. Reciprocity Link In Links Section Updated. AG Removed His Listing.
- 10/10/17 – Places Off Limits Updated with Amended 28.425o and Casino Carry Admin Rule Added.
- 11/10/17- Reciprocity Link In Links Section Updated. MI AG Added New Page Showing States That Honor Michigan.