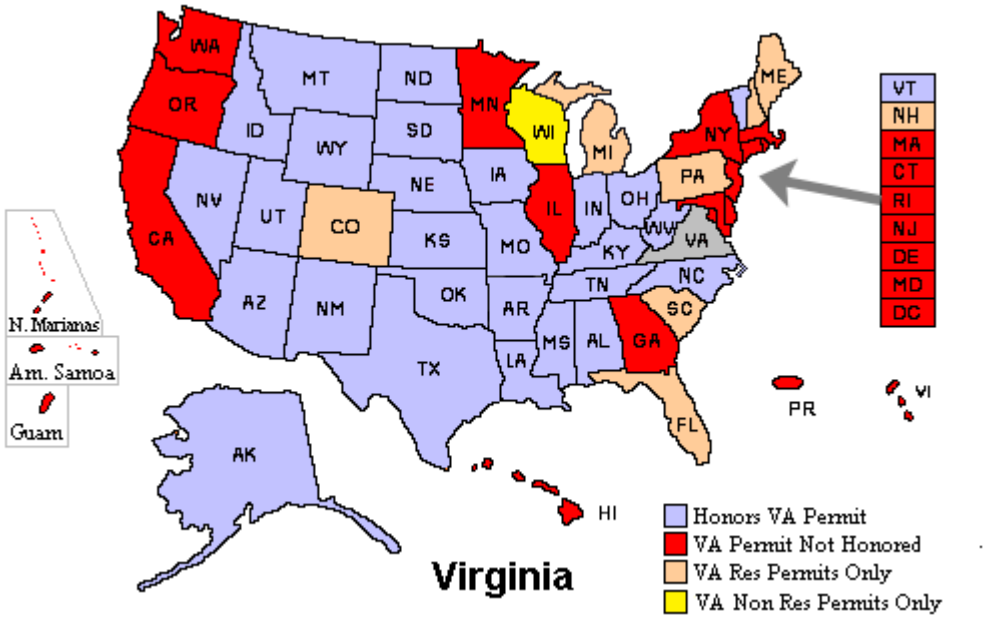
Virginia

Shall Issue **Must Inform Officer by Law: NO**
(See Must Inform Section Below)



Links

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[Last Updated:] 3/3/17

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

Virginia Honors all other states permit/licenses.

Wisconsin will only honor the VA Non-Resident Permit/License.
Virginia Honors Non-Resident Permits/Licenses From the States They Honor. (Must be 21 Y/O)

Reciprocity/How This State Honors Other States Permit/Licenses

§ 18.2-308.014. Reciprocity.

A. A valid concealed handgun or concealed weapon permit or license issued by another state shall authorize the holder of such permit or license who is at least 21 years of age to carry a concealed handgun in the Commonwealth, provided

(i) the issuing authority provides the means for instantaneous verification of the validity of all such permits or licenses issued within that state, accessible 24 hours a day if available;

(ii) the permit or license holder carries a photo identification issued by a government agency of any state or by the U.S. Department of Defense or U.S. Department of State and displays the permit or license and such identification upon demand by a law-enforcement officer; and

(iii) the permit or license holder has not previously had a Virginia concealed handgun permit revoked. The Superintendent of State Police shall enter into agreements for reciprocal recognition with such other states that require an agreement to be in place before such state will recognize a Virginia concealed

handgun permit as valid in such state. The Attorney General shall provide the Superintendent with any legal assistance or advice necessary for the Superintendent to perform his duties set forth in this subsection. If the Superintendent determines that another state requires that an agreement for reciprocal recognition be executed by the Attorney General or otherwise formally approved by the Attorney General as a condition of such other state's entering into an agreement for reciprocal recognition, the Attorney General shall

(a) execute such agreement or otherwise formally approve such agreement and

(b) return to the Superintendent the executed agreement or, in a form deemed acceptable by such other state, documentation of his formal approval of such agreement within 30 days after the Superintendent notifies the Attorney General, in writing, that he is required to execute or otherwise formally approve such agreement.

(B) For the purposes of participation in concealed handgun reciprocity agreements with other jurisdictions, the official government-issued law-enforcement identification card issued to an active-duty law-enforcement officer in the Commonwealth who is exempt from obtaining a concealed handgun permit under this article shall be deemed a concealed handgun permit.

That within 60 days of the effective date of this act, the Superintendent of State Police shall enter into agreements for reciprocal recognition of concealed handgun permits or licenses with states where such agreements were in existence as of December 1, 2015, as required by the provisions of this act.

How to Apply for a Permit

Application for a Concealed Handgun Permit

Any person 21 years of age or older may apply in writing to the clerk of the circuit court of the county or city in which he or she resides, or if he is a member of the United States armed forces, the county or city in which he is domiciled, for a five-year permit to carry a concealed handgun. There is no requirement as to the length of time an applicant for a Concealed Handgun Permit must have been a resident or domiciliary of the county or city where he or she resides.

The application may be obtained from the circuit court, sheriff's office, or police department. The form (SP-248 Application for Concealed Handgun Permit) also may be downloaded and/or printed from this web site. This form can be viewed, downloaded and/or printed by visiting the **Virginia State Police Forms** page. You can view the process as posted by the Fairfax Co Circuit Court **Here**.

The court shall require proof that the applicant has demonstrated competence with a handgun and the applicant may demonstrate such competence by one of the following, but no applicant shall be required to submit to any additional demonstration of competence:

1. Completing any hunter education or hunter safety course approved by the Department of Game and Inland Fisheries or a similar agency of another state;
2. Completing any National Rifle Association firearms safety or training course;
3. Completing any firearms safety or training course or class available to the general public offered by a law-enforcement agency, junior college, college, or private or public institution or organization or firearms training school utilizing instructors certified by the National Rifle Association or the Department of Criminal Justice Services;
4. Completing any law-enforcement firearms safety or training course or class offered for security guards, investigators, special deputies, or any division or subdivision of law enforcement or security enforcement;

5. Presenting evidence of equivalent experience with a firearm through participation in organized shooting competition or current military service or proof of an honorable discharge from any branch of the armed services;
6. Obtaining or previously having held a license to carry a firearm in this Commonwealth or a locality thereof, unless such license has been revoked for cause;
7. Completing any firearms training or safety course or class conducted by a state-certified or National Rifle Association-certified firearms instructor;
8. Completing any governmental police agency firearms training course and qualifying to carry a firearm in the course of normal police duties; or
9. Completing any other firearms training which the court deems adequate.

A photocopy of a certificate of completion of any of the courses or classes; an affidavit from the instructor, school, club, organization, or group that conducted or taught such course or class attesting to the completion of the course or class by the applicant; or a copy of any document which shows completion of the course or class or evidences participation in firearms competition shall constitute evidence of qualification under this subsection.

No applicant shall be required to submit to any additional demonstration of competence, nor shall any proof of demonstrated competence expire.

The court shall charge a fee of $10.00 for the processing of an application or issuing of a permit. Local law enforcement agencies may charge a fee not to exceed $35.00 to cover the cost of conducting an investigation pursuant to this Code section. The State Police may charge a fee not to exceed $5.00 to cover the cost associated with processing the application. The total amount of the charges may not exceed $50.00, and payment may be made by any method accepted by the court.

No fee shall be charged for the issuance of a permit to a retiree described in paragraph K of § 18.2-308.

The court shall issue the permit within 45 days of receipt of the completed application unless it appears that the applicant is disqualified.

The person issued a permit or in possession of a de facto permit must have the permit on his person at all times during which he is carrying a concealed handgun and must display the permit and a photo-identification issued by a government agency of the Commonwealth or by the United States Department of Defense or United States State Department upon demand by a law enforcement officer.

Renewal

Persons who previously have held a Virginia resident permit shall be issued, upon application, a new five-year permit unless there is good cause shown for refusing to reissue a permit. The same fees and time constraints apply in the instance of renewal. Persons who previously have been issued a concealed handgun permit are not required to appear in person to apply for a new five-year permit; the application for the new permit may be submitted via the United States mail. The circuit court that receives the application shall promptly notify the applicant if the application is incomplete or if the fee submitted is incorrect.

If the new five-year permit is issued while an existing permit remains valid, the new five-year permit shall become effective upon the expiration date of the existing permit, provided that the application is received by the court at least 90 days but no more than 180 days prior to the expiration of the existing permit.

Non-Resident Permits

Request an Application Package by contacting the Virginia State Police Firearms Transaction Center in writing at the below address or on-line at **nonrespermit@vsp.virginia.gov.** All written requests must

include the applicant's complete name and mailing address. A telephone number is also requested. Send written requests to:

Firearms Transaction Center
Nonresident CHP Permits
Criminal Justice Information Services Division
Department of State Police
P.O. Box 85141
Richmond, VA 23285-5141

The Application Package will include a Concealed Handgun Permit Application, requirement and qualification information, a fingerprint card, a brochure on Virginia Firearms Safety and Laws, and a return envelope for the completed application. Complete Information **"Here".**

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§ 18.2-308.014. Personal Protection; Carrying Concealed Weapons; When Lawful to Carry

B. A valid concealed handgun permit issued by Maryland shall be valid in the Commonwealth, provided (i) the holder of the permit is licensed in 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. 2013, c. 746.

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

Places Off-Limits Even With a Permit/License

Notice: 5/5/16 - The Governor had ordered and Rules were adopted to ban the carrying of firearms in offices occupied by Executive Branch Agencies, with certain exceptions. You can read the rules **Here.** The buildings will be posted as per the new rules. You can read **Here** what the Virginia Citizens Defensive League states on this matter and that they must ask you to leave first.

5/12/16 - On May 6 Brian Coy, the governor's spokesperson, affirmed the order is a policy and if a gun owner is asked to leave at one of these locations, and didn't leave immediately the punishment would be trespassing. "If you enter a facility that's under the purview of this order, you'll be asked to leave or you'll deny entry. If you're respectful, that should be the end of the story," said Coy.

- Private property when prohibited by the owner of the property, or where posted as prohibited. Violation is a trespass charge and not a firearms violation. § 18.2-308
- Carrying dangerous weapon to place of religious worship while a meeting for religious purposes is being held unless you have "good and sufficient reason." There is no known definition of what a good and sufficient reason would be. Violation is a minor crime, punishable by a fine of up to $100. § 18.2-283 **Note:** See AG's Opinion in AG Opinions/Court Cases Section Below)
- Courthouse. Violation is a high-level misdemeanor. § 18.2-283.1
- School property/school functions (School busses are school property) unless gun is unloaded, in an enclosed container and in the vehicle. A car's trunk **is** considered an enclosed container. **However**, a concealed handgun permit holder **can** have a loaded, concealed handgun in the vehicle while in the school parking lot, traffic circle, etc. The concealed handgun and the permit holder must stay in the vehicle. Firearms are not banned from property open to the public where a school function is being held unless that property is being used exclusively for the school function. Violation of this statute is a felony. § 18.2-308.1

- Non-secure areas of airport terminals are off limits unless you are a passenger and you have your gun unloaded, in a locked container in your checked luggage, and declare the gun at the check-in counter. Violation is a high-level misdemeanor. § 18.2-287.01
- Regional Jail or Juvenile Detention Facility. § 15.2-915

4VAC15-40-120. Hog Island Wildlife Management Area; Possession of Loaded Gun Prohibited; Exception.
It shall be unlawful to have in possession at any time a gun which is not unloaded and cased or dismantled on that portion of the Hog Island Wildlife Management Area bordering on the James River and lying north of the Surry Nuclear Power Plant, except while hunting deer or waterfowl in conformity with a special permit issued by the department. Statutory Authority §§ 29.1-501, 29.1-502 and 29.1-701 of the Code of VA. Historical Notes Derived from VR325-02-1 § 11, eff. 7/1/1989; amended, VA Reg Vol 10, Issue 23, eff. 9/81994; Vol 11, Issue 9, eff. 2/21995.

4VAC15-40-140. Prohibited on Buggs Island and Certain Waters of the Gaston Reservoir.
It shall be unlawful to hunt or have in one's possession a loaded gun on Buggs Island or to shoot over or have a loaded gun upon the water on Gaston Reservoir (Roanoke River) from a point beginning at High Rock and extending to the John H. Kerr Dam. Statutory Authority §§ 29.1-103, 29.1-501 and 29.1-502 of the Code of Virginia.

§ 18.2-308.1. Possession of firearm, stun weapon, or other weapon on school property prohibited; penalty.

A. If any person ***knowingly*** possesses any

(i) stun weapon as defined in this section;
(ii) knife, except a pocket knife having a folding metal blade of less than three inches; or
(iii) weapon, including a weapon of like kind, designated in subsection A of § 18.2-308, other than a firearm; upon

(a) the property of any public, private or religious elementary, middle or high school, including buildings and grounds;

(b) that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place; or
(c) any school bus owned or operated by any such school, he shall be guilty of a Class 1 misdemeanor.

B. If any person ***knowingly*** possesses any firearm designed or intended to expel a projectile by action of an explosion of a combustible material while such person is upon

(i) any public, private or religious elementary, middle or high school, including buildings and grounds;
(ii) that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place; or
(iii) any school bus owned or operated by any such school, he shall be guilty of a Class 6 felony.

C. If any person ***knowingly*** possesses any firearm designed or intended to expel a projectile by action of an explosion of a combustible material within a public, private or religious elementary, middle or high school building and intends to use, or attempts to use, such firearm, or displays such weapon in a threatening manner, such person shall be guilty of a Class 6 felony and sentenced to a mandatory minimum term of imprisonment of five years to be served consecutively with any other sentence.

The exemptions set out in § 18.2-308 shall apply, mutatis mutandis, to the provisions of this section. The provisions of this section shall not apply to

(i) persons who possess such weapon or weapons as a part of the school's curriculum or activities;
(ii) a person possessing a knife customarily used for food preparation or service and using it for such purpose;
(iii) persons who possess such weapon or weapons as a part of any program sponsored or facilitated by either the school or any organization authorized by the school to conduct its programs either on or off the school premises;
(iv) any law-enforcement officer;
(v) any person who possesses a knife or blade which he uses customarily in his trade;
(vi) a person who possesses an unloaded firearm that is in a closed container, or a knife having a metal blade, in or upon a motor vehicle, or an unloaded shotgun or rifle in a firearms rack in or upon a motor vehicle;
(vii) a person who has a valid concealed handgun permit and possesses a concealed handgun while in a motor vehicle in a parking lot, traffic circle, or other means of vehicular ingress or egress to the school; or
(viii) an armed security officer, licensed pursuant to Article 4 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1, hired by a private or religious school for the protection of students and employees as authorized by such school.

For the purposes of this paragraph, "weapon" includes a knife having a metal blade of three inches or longer and "closed container" includes a locked vehicle trunk.

As used in this section:

"Stun weapon" means any device that emits a momentary or pulsed output, which is electrical, audible, optical or electromagnetic in nature and which is designed to temporarily incapacitate a person.

Carry On College/Universities in Virginia

The **VA AG Opinion** states: It is my opinion that the safe operation of the campus allows regulation of, or under limited circumstances, prohibition of, firearms by any persons attending events on campus, visiting dormitories or classroom buildings, attending specific events as invitees, or under any circumstance permitted by law. The universal prohibition of firearms by properly permitted persons other than students, faculty, administration, or employees, however, is not allowed under law. A board of visitors has responsibility for the protection of the students enrolled at their university. At the same time, the rights guaranteed by the Second Amendment of the Constitution of the United States14 and by Article I, § 13, of the Constitution of Virginia,15 which protect all citizens, may not be summarily dismissed for transient reasons.

Note: Colleges and Universities are changing their rules to Regulations which give them the force of law. The AG Opinion even states this. Use extreme caution before carrying onto any College or University Property. Make sure you know what their Regulations are concerning firearms. See the Virginia Citizens Defense League Listing for College/Universities Information **Here**. Use Caution!

Air Carrier Airports – Firearms are not allowed in the Terminals. The VCDL lists those Airports that are considered Air Carrier Airports as:

Reagan National	Arlington,	Charlottesville Regional	Charlottesville,
Dulles International	Chantilly,	Lynchburg Municipal	Lynchburg,
Norfolk International	Norfolk,	Richmond International	Richmond,
Roanoke Regional	Roanoke,	Shenandoah Valley Regional	Staunton,
Newport News Williamsburg International	Newport News,		

4VAC15-270-40. Shooting or Carrying Rifle or Pistol Over Public Inland Waters.

It shall be unlawful to shoot a rifle or pistol at wild birds or animals on or over the public inland waters of this Commonwealth; provided, however that licensed trappers may shoot a .22 caliber rimfire rifle or pistol on or over public inland waters for the purpose of dispatching a trapped animal. It shall be unlawful to carry a loaded rifle or pistol on a boat or other floating device on the public inland waters for the purpose of hunting wild birds and wild animals; provided, however, that unloaded rifles or pistols may be transported by boat from one point to another. Nothing in this regulation applies to department personnel conducting wildlife management activities on the public waters of the Commonwealth. Statutory Authority §§ 29.1-103, 29.1-501, and 29.1-502 of the Code of Virginia. Historical Notes Derived from VR325-02-25 § 4; amended, Virginia Register Volume 24, Issue 6, eff. July 1, 2008.

Firearms on Tennessee Valley Authority (TVA Property)

4. Firearms and Weapons - TVA campgrounds may receive use by hunters during hunting season. While firearms and weapons are generally prohibited, possession of firearms and other weapons associated with in-season hunting excursions are permissible if they are unloaded and properly cased**. Possession of firearms at TVA public ramps, associated roads, and parking areas are allowed if the possession complies with the law of the state where the boat ramp is located and is not otherwise prohibited by law.**

Note: Day Use Areas, Campgrounds, and other developed recreational TVA lands are still off limits. TVA lands where Hunting is presently allowed, Undeveloped Shorelines, Boat Ramps, Boat Ramp Parking Areas and Associated Roads for those areas is where carry will be allowed.

For Federal Restrictions on Firearms see the **USA Page**.

Ronald Reagan National & Washington Dulles International Airports

Metropolitan Washington Airports Authority

§ 8.4. Dangerous Weapons Prohibited.

(1) No person may possess a dangerous weapon within or bring any dangerous weapon into the Airports' terminals or the airfields or any building that opens onto the airfield on which signs are posted so as to give reasonable notice to the public unless:

(a) the person is a passenger of an airline and possesses the weapon in one of the Airports' terminals for the sole purposes of

(i) presenting such weapon to U.S. Customs agents in advance of an international flight,
(ii) checking such weapon with his luggage, or
(iii) retrieving such weapon from the baggage claim area, and the weapon, if a firearm, is unloaded and carried in a locked, hard-sided container to which only that person retains the key or combination; or

(b) the weapon is (i) packaged for shipment in a container that is locked or otherwise secured and (ii) if a firearm, unloaded, and (iii) brought or possessed on Authority facilities for shipment by air or retrieval after shipment by air.

(2) The provisions of this section shall not apply:

(a) to persons authorized by 49 CFR Section 1540.111 to carry a dangerous weapon on their persons or accessible property in the sterile areas of the Airports;

(b) to law enforcement officers required to carry firearms while in the performance of their official law enforcement duties while on the Airports;

(c) to employees or agents of the Authority and the weapon is to be used under Authority direction for Authority purposes such as game control; or

(d) to persons who need the weapon in the performance of their duties for legitimate airport purposes (such as armored car guards) and the Airport Manager has previously approved, in writing, that person possessing a weapon where he would otherwise be prohibited.
(Res. No. 94-4, 1-5-94; Res. No. 04-25, 10-6-04; Res. No. 04-30, 12-1-04)

§ 8.5. Definition of Dangerous Weapon. A dangerous weapon includes, by way of illustration and not limitation:

(1) any pistol, revolver, rifle, or other weapon designed or intended to propel a missile of any kind; or

(2) any knife with a blade longer than four inches, switchblade knife, ballistic knife, razor, slingshot, spring stick, metal knucks, blackjack, sand club, sandbag, bow and arrow; or

(3) any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nun cacao, shuriken, or fighting chain; or

(4) any disc of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart; or

(5) any mechanism designed to emit an electronic, magnetic, or other type of charge that exceeds the equivalency of a five milliamp sixty hertz shock and used for the purpose of temporarily incapacitating a person, which may be known as a stun gun; or

(6) any mechanism designed to emit an electronic, magnetic, or other type of charge or shock through the use of a projectile and used for the purpose of temporarily incapacitating a person, which may be known as a taser. (Res. No. 94-4, 1-5-94) § 8.6.

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 Virginia 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.

Parking Lot Storage Laws (Local Public Employees)

§ 15.2-915. Control of Firearms; Applicability to Authorities and Local Governmental Agencies.

A. No locality shall adopt or enforce any ordinance, resolution or motion, as permitted by § 15.2-1425, and no agent of such locality shall take any administrative action, governing the purchase, possession, transfer, ownership, carrying, storage or transporting of firearms, ammunition, or components or combination thereof other than those expressly authorized by statute. For purposes of this section, a statute that does not refer to firearms, ammunition, or components or combination thereof, shall not be construed to provide express authorization.

Nothing in this section shall prohibit a locality from adopting workplace rules relating to terms and conditions of employment of the workforce. However, no locality shall adopt any workplace rule, other than for the purposes of a community services board or behavioral health authority as defined in § 37.2-100, that prevents an employee of that locality from storing at that locality's workplace a lawfully possessed firearm and ammunition in a locked personal, private motor vehicle. Nothing in this section shall prohibit a law-enforcement officer, as defined in § 9.1-101, from acting within the scope of his duties.

The provisions of this section applicable to a locality shall also apply to any authority or to a local governmental entity, including a department or agency, but not including any local or regional jail, juvenile detention facility, or state-governed entity, department, or agency.

B. Any local ordinance, resolution or motion adopted prior to the effective date of this act governing the purchase, possession, transfer, ownership, carrying or transporting of firearms, ammunition, or components or combination thereof, other than those expressly authorized by statute, is invalid.

C. In addition to any other relief provided, the court may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in an action challenging (i) an ordinance, resolution, or motion as being in conflict with this section or (ii) an administrative action taken in bad faith as being in conflict with this section.

D. For purposes of this section, "workplace" means "workplace of the locality." 2009, cc. 735, 772; 2012, c. 757.

Must Inform Officer Immediately on Contact By Law?

"NO"

§ 18.2-308 (H) ….The person issued the permit shall have such permit on his person at all times during which he is carrying a concealed handgun and shall display the permit and a photo-identification issued by a government agency of the Commonwealth or by the United States Department of Defense or United States State Department (passport) upon demand by a law-enforcement officer.

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

Carry Allowed in these Areas: See Notice at beginning of Places Off Limits Section for information on Governor banning carry in all Buildings controlled by the Executive Branch.

State Parks: YES

St. Forests/ Nat. Forests/ All Dept of Game & Inland Fisheries Property YES 4VAC15-40-60

Road Side Rest Areas: YES

RV/Car Carry Without a Permit/License

§ 18.2-308 Carrying concealed weapons; exceptions; penalty.

C. Except as provided in subsection A of § 18.2-308.012, this section shall not apply to:

8. Any person who may lawfully possess a firearm and is carrying a handgun while in a personal, private motor vehicle or vessel and such handgun is secured in a container or compartment in the vehicle or vessel;

For purposes of this subsection, the term "compartment" includes a console, glove compartment, or any other area within or on the vehicle or vessel that possesses the ability to be closed and the term "secured" means that a container or compartment be closed but not necessarily locked.

Open Carry (Without a Valid Permit/License)

Open Carry is legal. Places as listed in the "Places Off Limits" above apply to those who open carry. The Governor has also stated he will ban Open Carry in all buildings under the Exe Branches control. They would have to be posted No Open Carry. Open Carry is very common in Virginia. 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.

In some states Open Carry is forbidden in places where those with a valid permit/license can carry. This is not the last word on Open Carry in this state. Check at **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. Also see "Attorney General Opinions/Court Cases" Section for any written opinions/Cases on Open Carry.

State Preemption

§ 15.2-915. Control of Firearms; Applicability to Authorities and Local Governmental Agencies.

A. No locality shall adopt or enforce any ordinance, resolution or motion, as permitted by § 15.2-1425, and no agent of such locality shall take any administrative action, governing the purchase, possession, transfer, ownership, carrying, storage or transporting of firearms, ammunition, or components or combination thereof other than those expressly authorized by statute. For purposes of this section, a statute that does not refer to firearms, ammunition, or components or combination thereof, shall not be construed to provide express authorization.

Nothing in this section shall prohibit a locality from adopting workplace rules relating to terms and conditions of employment of the workforce. However, no locality shall adopt any workplace rule, other than for the purposes of a community services board or behavioral health authority as defined in § 37.2-100, that prevents an employee of that locality from storing at that locality's workplace a lawfully possessed firearm and ammunition in a locked private motor vehicle. Nothing in this section shall prohibit a law-enforcement officer, as defined in § 9.1-101, from acting within the scope of his duties.

The provisions of this section applicable to a locality shall also apply to any authority or to a local governmental entity, including a department or agency, but not including any local or regional jail, juvenile detention facility, or state-governed entity, department, or agency.

B. Any local ordinance, resolution or motion adopted prior to the effective date of this act governing the purchase, possession, transfer, ownership, carrying or transporting of firearms, ammunition, or components or combination thereof, other than those expressly authorized by statute, is invalid.

C. In addition to any other relief provided, the court may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in an action challenging (i) an ordinance, resolution, or motion as being in conflict with this section or (ii) an administrative action taken in bad faith as being in conflict with this section.

D. For purposes of this section, "workplace" means "workplace of the locality." . . . cc. 735, 772; 2012, c. 757.

Deadly Force Laws

A Look At Current Self-Defense Common Law In Virginia (Important Information)
Virginia Citizens Defense League March 2012

Virginia currently has excellent protections for those involved in the use of force for self-defense. Our protections are much broader than the "Castle Doctrines" that many states have. True "Castle Doctrine" bills provide protection only in a person's home, while Virginia common law provides protections everywhere you might be - at home, in the yard, at work, at the store, in church, etc. Some states desperately needed "Castle Doctrine" laws, as their existing laws were horrible on self-defense. Many required a person to retreat EVEN IN THEIR OWN HOME! Not true in Virginia.

Virginia is a "stand-your-ground" state. That means AS LONG AS YOU ARE NOT PART OF "THE PROBLEM" and are innocent, you can stand your ground and use force to defend yourself wherever you may be. Deadly force is only allowed if you are under IMMEDIATE threat and you reasonably fear that you, or another innocent party, will be killed or be grievously injured. The death of an attacker caused by use of such deadly force is considered "justifiable homicide." Note that you don't actually have to be in a deadly situation, but only have a REASONABLE FEAR that you are in such a situation, to be justified in the use of deadly force. For example, if someone tries to rob you with a toy gun and you don't know it's a toy gun, you would be justified in responding with deadly force since you would reasonably fear that your life was in immediate danger.

If you are part of "the problem," say by making an obscene gesture or yelling a threat at someone, then, if attacked, you MUST RETREAT. The retreat must be as far as you can reasonably go and you must indicate that you give up the fight. Then, and only then, if the attacker persists, can you use force against them. If they are trying to kill you or grievously injure you, and they die because of your use of deadly force, it is considered "excusable homicide," a lower standard than "justifiable homicide." Moral to the story: don't give up your right to stand-your-ground by being part of the problem - ever.

The reason that a person who is part of the problem is required to retreat is to avoid someone committing murder under the guise of self-defense. Otherwise, a murderer could intentionally badger a victim to the point that the victim attacks out of sheer anger or frustration. At that point the murderer, standing his ground, could use that attack as an excuse to kill the victim "in self-defense," getting away with murder legally. Not good, not acceptable, and not legal.

Would common law or the "Castle Doctrine" bills GUARANTEE that a person legally defending themselves could NOT be charged with murder or sued civilly? NO. If the police and/or the Commonwealth Attorney have reason to believe, rightly or wrongly, that you committed a murder instead of true self-defense, you are going to be arrested and charged. Period. As far as a civil suit, you can be sued for anything and nothing can stop that either. However, common law (and the wording in the Castle Doctrine bills) provide a defense. However, the common law provides the same defense wherever you may be, while the "Castle Doctrine" would only apply inside your dwelling.

Virginia Law on Self Defense/Lethal Force is mainly based on Court Rulings. Below are some of the cases cited when talking about using Self Defense/Lethal Force in Virginia. Click Here for a synopsis from the Virginia Citizens Defense League.

Commonwealth v. Alexander, 260 Va. 238, 531 S.E.2d 567 (2000).

Montgomery v. Commonwealth 99 Va. 833, 37 S.E. 841 (1901)

McGhee v. Commonwealth, 219 Va. 560, 562, 248 S.E.2d 808, ___ (1978).

Commonwealth v. Sands, 262 Va. 724, 729, 553 S.E.2d 733, ___ (2001).

Pike v. Commonwealth, 24 Va. App. 373, 375-376, 482 S.E.2d 839, ___ (1997).

Bailey v. Commonwealth, 200 Va. 92, 96, 104 S.E.2d 28, ___ (1958).

Huffman v. Commonwealth, __, Va. App. __ S.E.2d __, (2008).

Morris v. Commonwealth, 269 Va. 127, 134-135, 607 S.E.2d 110, ___ (2005)

Knife Laws State/Cities

To access State/Local Knife Laws Click "Here"

Carry in Restaurants That Serve Alcohol

YES § 18.2-308.012

Note: What is defined as carry in a restaurant that serves alcohol is a place like Friday's, Chili's or Red Lobster and you can legally carry your concealed firearm into a restaurant that serves alcohol and sit and eat without consuming. In Virginia you are not allowed to consume by law when carrying concealed. 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.

Chemical Sprays/Stun Gun/Higher Capacity Magazine Laws

§ 18.2-287.4. Carrying Loaded Firearms in Public Areas Prohibited; Penalty.

It shall be unlawful for any person to carry a loaded (a) semi-automatic center-fire rifle or pistol that expels single or multiple projectiles by action of an explosion of a combustible material and is equipped at the time of the offense with a magazine that will hold more than 20 rounds of ammunition or designed by the manufacturer to accommodate a silencer or equipped with a folding stock or (b) shotgun with a magazine that will hold more than seven rounds of the longest ammunition for which it is chambered on or about his person on any public street, road, alley, sidewalk, public right-of-way, or in any public park or any other place of whatever nature that is open to the public in the Cities of Alexandria, Chesapeake, Fairfax, Falls Church, Newport News, Norfolk, Richmond, or Virginia Beach or in the Counties of Arlington, Fairfax, Henrico, Loudoun, or Prince William.

The provisions of this section shall not apply to law-enforcement officers, licensed security guards, military personnel in the performance of their lawful duties, or any person having a valid concealed handgun permit or to any person actually engaged in lawful hunting or lawful recreational shooting activities at an established shooting range or shooting contest. Any person violating the provisions of this section shall be guilty of a Class 1 misdemeanor. The exemptions set forth in § 18.2-308 shall apply, mutatis mutandis, to the provisions of this section. (1991, c. 570; 1992, c. 790; 2003, c. 976; 2004, c. 995; 2005, c. 160; 2007, c. 813.)

LEOSA State Information

Virginia LEOSA Information

Virginia LEOSA Qualification

See the LEOSA Section on the **USA Page** at Handgunlaw.us for more LEOSA Information.

Attorney General Opinions/Court Cases

Virginia AG - Student Carry

Virginia AG – Carry on College Campus

Virginia AG – Carry in Churches

Virginia AG – Carry on University of Virginia Campus

Virginia AG Advisory Opinion on Storage/Carrying in Vehicle Without a Permit/License

Virginia AG – Permit Info Is Private Info Even Previously Issued Permits

Airport Carry/Misc. Information

Airport Carry: **Terminal Off Limits. Parking Lot OK § 18.2-287.01.** Metropolitan Washington Airports Authority Regulations **§ 8.4.**

Training Valid for: **No set time limit.**

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

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

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

State Reciprocity/How They Honor Other States Statute: **§ 18.2-308.**

State Fire arm Laws: **18.2-279 thru 18.2-312**

State Deadly Force Laws: **None Found.**

State Knife Laws: **18.2-308 & 18.2-308.1 & 18.2-311**

Chemical/Electric Weapons Laws: **18.2-308.1, 308.2. and 312**

Body Armor Laws: **§ 18.2-287.2 & -288**

Does Your Permit Cover Other Weapons Besides Firearms? **NO** **18.2-308.**

Is carrying of a Concealed Firearm with Permit/License for Defensive Purposes Only While Hunting Legal? **YES** § 18.2-308 & VA Dept of Game and Inland Fisheries General Information & Hunting Regulations. **No** when on waterways. See Places Off Limits.

Notes

What Does VA Consider A Loaded Firearm?

4VAC15-40-60. **Hunting With Dogs or Possession of Weapons in Certain Locations During Closed Season.**

H. Meaning of "possession" of bow, crossbow, or firearm and definition of "loaded crossbow" and "loaded firearm." For the purpose of this section, the word "possession" shall include, but not be limited to, having any bow, crossbow, or firearm in or on one's person, vehicle or conveyance. For the purpose of this section, a "loaded firearm" shall be defined as a firearm in which ammunition is chambered or loaded in the magazine or clip when such magazine or clip is engaged or partially engaged in a firearm.

State Emergency Powers

§ 44-146.15. **Construction of Chapter.** (effective 7/1/12)

Nothing in this chapter is to be construed to:

(1) Limit, modify, or abridge the authority of the Governor to exercise any powers vested in him under other laws of this Commonwealth independent of, or in conjunction with, any provisions of this chapter;

(2) Interfere with dissemination of news or comment on public affairs; but any communications facility or organization, including, but not limited to, radio and television stations, wire services, and newspapers, may be required to transmit or print public service messages furnishing information or instructions in connection with actual or pending disaster;

(3) Empower the Governor, any political subdivision, or any other governmental authority to in any way limit *or prohibit* the rights of the people to keep and bear arms as guaranteed by Article I, Section 13 of the Constitution of Virginia or the Second Amendment of the Constitution of the United States, including the *otherwise* lawful possession, *carrying, transportation,* sale, or transfer of firearms except to the extent necessary to ensure public safety in any place or facility designated or used by the Governor, any political subdivision of the Commonwealth, or any other governmental entity as an emergency shelter or for the purpose of sheltering persons;

(4) Affect the jurisdiction or responsibilities of police forces, firefighting forces, units of the armed forces of the United States or any personnel thereof, when on active duty; but state, local and interjurisdictional agencies for emergency services shall place reliance upon such forces in the event of declared disasters; or

(5) Interfere with the course of conduct of a labor dispute except that actions otherwise authorized by this chapter or other laws may be taken when necessary to forestall or mitigate imminent or existing danger to public health or safety. 2012, cc. 42, 158.

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.

Virginia 18 Y/O § 18.2-308.7

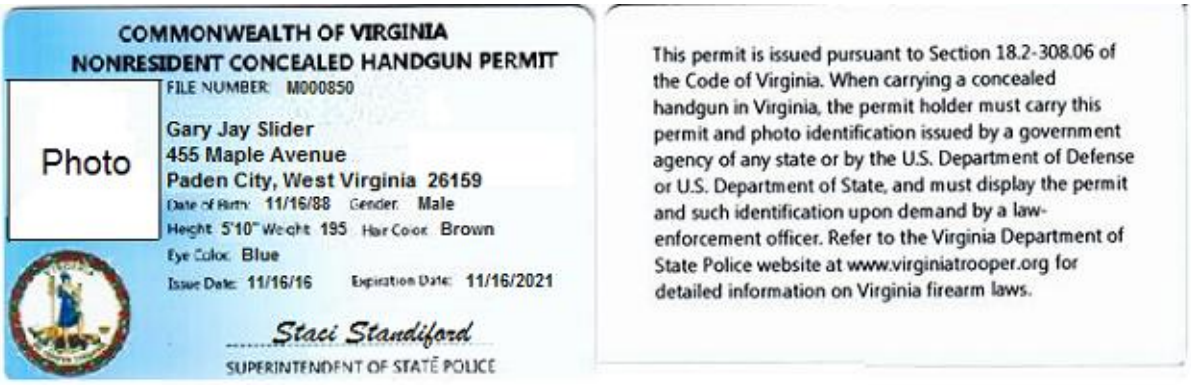
This is the minimum age for possessing and transporting a handgun unloaded and secured in a vehicle without any type of permit/license to carry firearms.

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 images have been digitally assembled from 2 or more 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

10/23/16 – RV/Car Carry W/O Permit Section Updated.
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.
3/3/17 – New Image of VA Non-Resident Permit Added to Permit Image Section.