

\$9.95

# MARYLAND TRAVEL GUIDE FOR GUN OWNERS

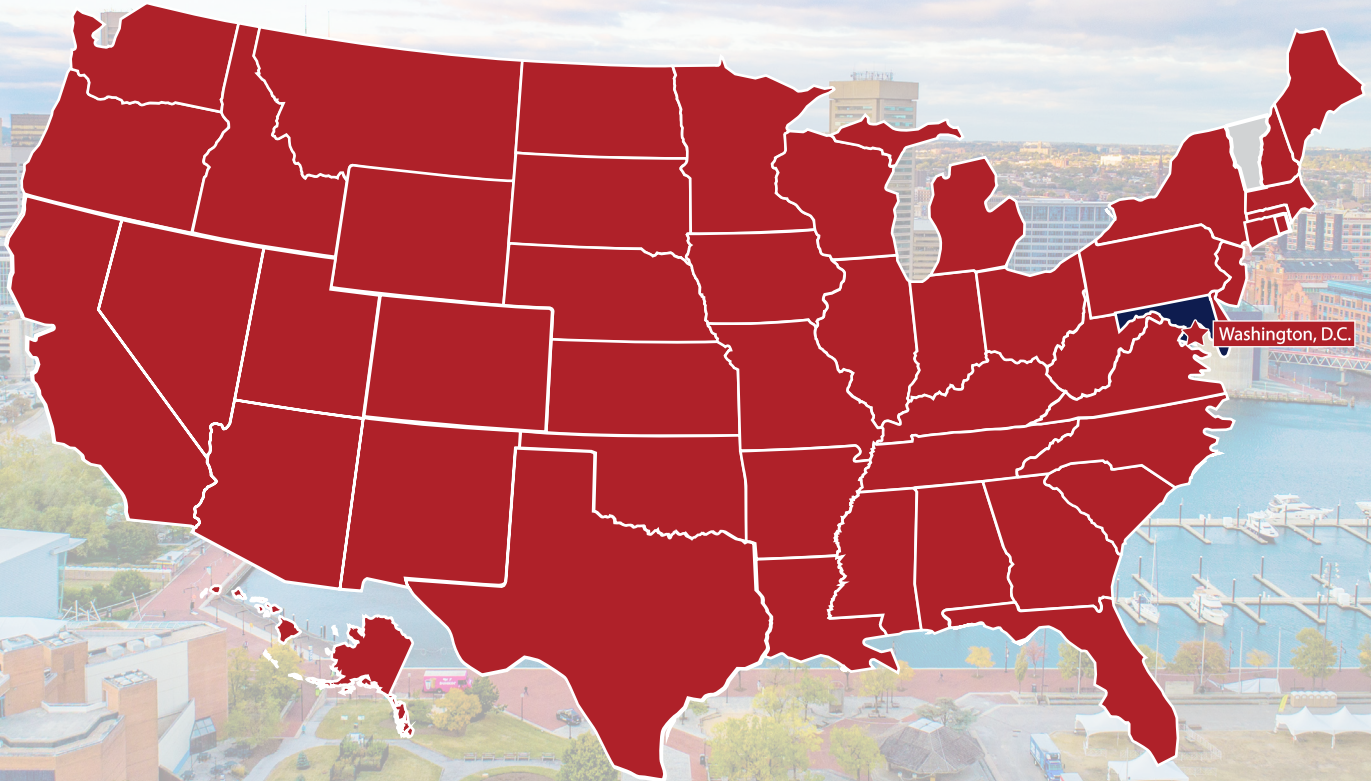


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# PERMITS/LICENSES RECOGNIZED BY MARYLAND

Maryland has extremely strict gun laws and does not honor any other state's carry permit or license.



**WARNING** - Maryland does NOT honor any other state's carry or permit licenses!



Recognizes license or permit to carry issued by this state.



**Does not** issue a state license or permit.



**Does not** recognize a handgun license or permit issued by this state.

**IMPORTANT NOTE:** When you are in another state, you are subject to that state's laws. Even if a state recognizes your handgun license or permit or allows for permitless carry, the state may have additional restrictions on certain types of firearms, magazines, or ammunition. Take time to learn the law!

# MARYLAND LAWS YOU SHOULD KNOW

The State of Maryland preempts local governments from regulating the purchase, sale, taxation, transfer, manufacture, repair, ownership, possession, or transportation of handguns, rifles, and shotguns along with their ammunition and parts. However, local governments in Maryland may regulate the discharge of firearms (except for at gun ranges) within their jurisdiction and the purchase, sale, transfer, ownership, possession, and transportation with respect to minors, law enforcement officers, and within 100 yards of a park, church, school, public building, and other place of public assembly. See Md. Code Ann., Crim. Law § 4-209.



## VEHICLE CARRY

Without a valid permit, it is illegal to wear, carry, or transport a handgun, concealed or open, in a vehicle, unless one of the following exceptions apply:

1. Transporting a handgun to or from the place of legal purchase or sale, or to or from a bona fide repair shop, or between bona fide residences of the person, or between the bona fide residence and place of business of the person, if the business is operated and owned substantially by the person if each handgun is unloaded and carried in an enclosed case or an enclosed holster;
2. Transporting a handgun used in connection with an organized military activity, a target shoot, formal or informal target practice, sport shooting event, hunting, a Department of Natural Resources-sponsored firearms and hunter safety class, trapping, or a dog obedience training class or show, while the person is engaged in, on the way to, or returning from that activity if each handgun is unloaded and carried in an enclosed case or an enclosed holster;
3. The moving by a bona fide gun collector of part or all of the collector's gun collection from place to place for public or private exhibition if each handgun is unloaded and carried in an enclosed case or an enclosed holster; or
4. Transporting a handgun on real estate that the person owns or leases or where the person resides or within the confines of a business establishment that the person owns or leases.

Regardless of whether a person has a valid permit, the transportation of rifles or shotguns in your vehicle is permitted, but such weapons must be unloaded and secured in a commercial gun case. See Md. Code Ann., Crim. Law § 4-203.





# MARYLAND LAWS YOU SHOULD KNOW



## **DUTY TO NOTIFY LAW ENFORCEMENT OFFICER**

No. But if you have a Maryland permit, you must have your permit whenever you carry, wear, or transport a handgun. See Md. Code Ann., Pub. Safety § 5-308. Maryland also allows law enforcement officers to approach those they reasonably believe may have a handgun for questioning. If an officer discovers that a person is carrying or transporting a handgun, they may demand evidence of the person's authority to carry or transport the handgun. If that person cannot provide evidence, the officer may seize the handgun and arrest the person. See Md. Code Ann., Crim. Law § 4-206.



## **OPEN CARRY**

With a recognized permit, open carry is generally permitted in public areas but is uncommon and frowned upon. Additionally, the Secretary of State Police may limit the geographic area, circumstances, or times of the day, week, month, or year in which a permit is effective. See Md. Code Ann., Pub. Safety § 5-307; Md. Code Ann., Crim. Law § 4-203.



## **IMPORTANT NOTE**

Maryland has enacted an "assault weapons" ban that prohibits the transport, possession, and transfer of many AR-style pistols, AR-style rifles, and "assault" shotguns. See Md. Code Ann., Crim. Law §§ 4-301, 4-303. Further, Maryland prohibits the transfer or manufacture of a detachable magazine with a capacity of more than 10 rounds of ammunition. See Md. Code Ann., Crim. Law § 4-305.



# WHERE CAN YOU LEGALLY CARRY YOUR HANDGUN IN MARYLAND?

LOCATION	WITH PERMIT	WITHOUT PERMIT
 Real estate that a person owns or leases, where the person resides, or within the confines of a business establishment that the person owns or leases.	✓	✓
 In a vehicle traveling on a road or parking lot generally used by the public, highway, waterway, or airway of the State.*	✓	✗
 At a location where an innkeeper refuses lodging to or reasonably believes a person to possess property that may be dangerous to other individuals, such as firearms or explosives, or on a person who refuses to abide by any conspicuously posted rule or policy of the lodging establishment. See Md. Code Ann., Bus. Reg § 15-203 (West 2021).	✗	✗
 Public places not otherwise specifically prohibited by law.	✓	✗
 A church or place of worship. **	✓	✗
 Bars or restaurants where alcohol is served.	✓	✗
 Child care centers, except for small centers located in residences, which may keep the firearm unloaded and partially disassembled in a locked container with ammunition stored in its own separate locked container in a location not used by children in care.	✗	✗
 On public school property.	✗	✗
 State Highway rest areas.	✗	✗
 Any state or federal forest, Chesapeake Forest Lands, or state parks, except when legally hunting or legally target shooting at designated shooting ranges.	✗	✗
 A hospital.**	✓	✗
 At a demonstration in a public place or in a vehicle within 1,000 feet of such demonstration after law enforcement has advised the person that a demonstration is occurring at the public place and law enforcement has ordered the person to leave the demonstration area until he or she has disposed of the firearm.	✗	✗
 In a secured area of an airport (i.e., inside the metal detectors).	✗	✗
 Community adult rehabilitation centers.	✗	✗
 Buildings and grounds under the jurisdiction of the Department of General Services.	✗	✗
 In a building where: the Senate or the House has a chamber; a member, officer, or employee of the General Assembly has an official office; or a committee of the General Assembly, the Senate, or the House has an office.	✗	✗
 U.S. Post Office, VA Hospital, or other place prohibited by federal law, including parking lots and sidewalks.	✗	✗
 Military installation.	✗	✗

**Note: The Secretary of State Police retains the power to further limit the geographic area, circumstances, or times in which a handgun permit is effective. Always check the law before you travel!**

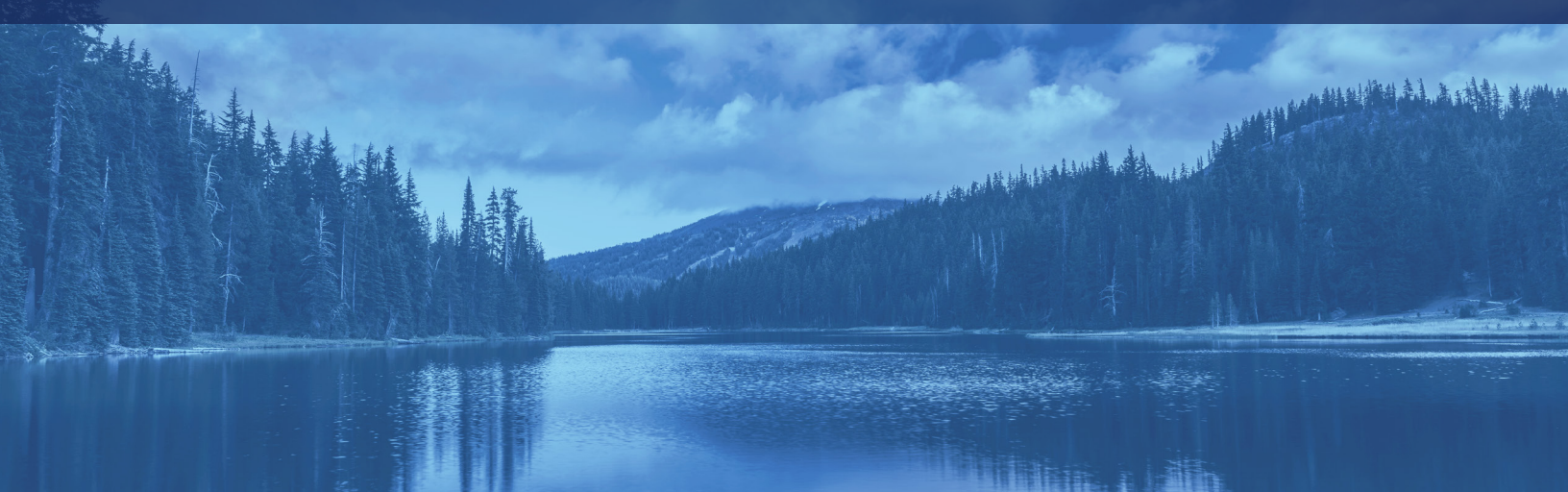
**Note also: Although the open carrying of firearms is technically legal, open carrying is rare and will likely lead to a stop by a law enforcement officer.**

\* A person without a permit is allowed to possess a handgun on their person or in a vehicle while the person is transporting the handgun to or from the place of legal purchase or sale, or to or from a bona fide repair shop, or between bona fide residences of the person, or between the bona fide residence and place of business of the person, if the business is operated and owned substantially by the person and if each handgun is unloaded and carried in an enclosed case or an enclosed holster. Additionally, a person may not take a handgun on a dredge boat, even with a license.

\*\* Could be subject to local regulations. Always check the law before you carry.



# FEDERAL LAWS YOU SHOULD KNOW



## **NATIONAL PARKS**

Federal law allows possession of firearms in national parks and wildlife refuges so long as the person is not otherwise prohibited by law from possessing the firearm and the possession is in compliance with the law of the state in which the national park or wildlife refuge is located. However, you cannot bring the firearm into any federal buildings, which may include ranger stations, museums, exhibits, and restrooms. See 16 U.S.C. § 1a-7b; 18 U.S.C. § 930; 54 U.S.C. § 104906.

## **ARMY CORPS OF ENGINEERS PROPERTY**

Loaded firearms, ammunition, and other projectile firing devices are generally prohibited on U.S. Army Corps of Engineers (“USACE”) property. This applies to property owned and managed by the USACE (including bodies of water), but does not include easements or other rights of way that USACE may have near a project site (e.g., private or state-owned shoreline near a USACE lake). Simply put, if the USACE does not own the property in whole, then the prohibition on the possession and carrying of firearms will not apply under this regulation. Unfortunately, these boundaries and ownership are oftentimes unclear. To be safe, be on the lookout for signs prohibiting the possession of these items and contact the office of the USACE project site for clarification. See 36 C.F.R. §§ 327.13(a), 327.26(a)(3), 327.30(d).

## **TRANSFER OF FIREARMS**

We are frequently asked about transferring (through sale or gift) a firearm to a person living in a different state. It is a violation of FEDERAL LAW to give, sell, or trade any firearm to a non-resident unless done through a Federal Firearms Licensee (“FFL”). This includes a gift to a child or parent. A violation of this law is punishable by up to five years imprisonment in a federal penitentiary and up to a \$5,000 fine. See 18 U.S.C. §§ 922(a)(5), 924.





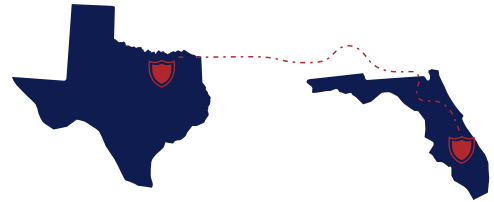
# SAFE PASSAGE

Some states just don't like guns. For example, California and New Jersey prohibit magazines that carry more than 10 rounds of ammunition. The State of California does not ban "Black Talon" ammunition, but the City of San Francisco does. New Jersey prohibits hollow-point ammunition outside of the home. Maryland prohibits over 60 specific firearms, including any "copycat" firearms. So, how do you travel safely through gun-hostile territories? Luckily, federal law provides a "traveling" defense intended to protect gun owners as they travel through such states.

## THE SAFE PASSAGE PROVISION UNDER 18 U.S.C. § 926A

### Requirement #1

The **beginning** and **end** of your trip must be in states where you can **lawfully possess a firearm**.



### Requirement #2

The firearm must be **unloaded and placed in a trunk or compartment which is not readily accessible**. If there is no trunk or compartment, the firearm must be unloaded and placed in a locked container (glove box or center console is specifically NOT allowed). Ammunition must also be locked up and out of reach. The firearm and ammunition may be in the same container—just make sure the ammunition is separated from the gun.



### Requirement #3

You must be **"traveling."** While there is no definition of "traveling," generally, if a person stops somewhere for too long, they are no longer "traveling" and will lose the Safe Passage protection. How long does this period last? Your guess is as good as ours! Stopping for gas or restroom breaks will probably not disqualify you from the "traveling" protection. However, any stop for an activity not directly related to traveling could be considered a destination.



"Notwithstanding any other provision of any law or any rule or regulation of a State or any political subdivision thereof, any person who is not otherwise prohibited by this chapter from transporting, shipping, or receiving a firearm shall be entitled to transport a firearm for any lawful purpose from any place where he may lawfully possess and carry such firearm to any other place where he may lawfully possess and carry such firearm if, during such transportation the firearm is unloaded, and neither the firearm nor any ammunition being transported is readily accessible or is directly accessible from the passenger compartment of such transporting vehicle: Provided, That in the case of a vehicle without a compartment separate from the driver's compartment the firearm or ammunition shall be contained in a locked container other than the glove compartment or console." 18 U.S.C. § 926A.

# FLYING WITH A FIREARM

Road trips are not everyone's cup of tea; some prefer to fly to their destination state. But the idea of getting assaulted by TSA doesn't sound like fun, which makes many people nervous to fly with their guns. However, if you comply with the law, it will take the mystery and danger out of air travel. Keep in mind, these are only the requirements to fly with your firearm; you must follow the laws of the destination state once you arrive.

## TSA REQUIREMENTS

- ✓ Firearms must be unloaded and locked in a hard-sided container and transported as checked baggage only. You may use any brand or type of lock to secure your firearm case, including TSA-recognized locks. But you must retain the key!
- ✓ Ammunition must be securely boxed or included within a hard-sided case containing an unloaded firearm and transported as checked baggage only. The ammunition must be packaged in a box specifically designed to carry ammunition. You cannot use firearm magazines or clips for packing ammunition unless they completely enclose the ammunition. Firearm magazines and ammunition clips, whether loaded or empty, must be boxed or included within a hard-sided, locked case.
- ✓ Declare each firearm at the check-in counter each time you present it for transport as checked baggage. Many times, the agent will want to ensure that the gun is unloaded, and will probably direct you to lock the hard-sided container in their presence once their inspection is complete.

### PRO TIP

Your locked containers must be secured! We recommend placing a lock in each location capable of accepting a lock. The TSA may turn you away if your container can be pried open from any direction.

These requirements apply to checked baggage. What cannot go into your carry-on? All firearms, ammunition, firearm parts, magazines, bolts, firing pins, and replicas of firearms (including toys) must be in checked baggage. What can go in your carry-on? A rifle scope!

### CHECK YOUR CARRY-ON

NO



OK



**WARNING!** If there are flight complications that cause the aircraft to land in a gun-hostile state, such as New Jersey, **DO NOT** take possession of your luggage containing the firearm. Once you take possession of the baggage holding your weapon, you could be committing a crime! If this happens, simply refuse to take possession of the bags and request that the airline forward them to their final destination.

### PRO TIP

Call your airline ahead of time to confirm they don't have any additional requirements, limitations, or fees that may apply. For example, some airlines require ammunition be transported in the original manufacturer's packaging.



# NOTES



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ABOUT TRAVELING?**

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REV. 12/2021