



Utah State and Federal Firearms Laws

of Special Interest to Utah Concealed Firearm Permit Holders and Applicants

Compiled by Blaine S. Nay, Cedar City, Utah

Believed to be correct as of 7 Feb 2010; subject to change

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Selected Utah State Laws

Utah State Constitution, Article I, Section 6. [Right to bear arms.]

The individual right of the people to keep and bear arms for security and defense of self, family, others, property, or the state, as well as for other lawful purposes shall not be infringed; but nothing herein shall prevent the Legislature from defining the lawful use of arms.

34-45-101. Title. (Adopted 2009)

This chapter is known as "Protection of Activities in Private Vehicles." Enacted by Chapter 379, 2009 General Session

34-45-102. Definitions. (Adopted 2009)

As used in this chapter:

- (1) "Firearm" has the same meaning as provided in Section 76-10-501.
- (2) "Motor vehicle" has the same meaning as provided in Section 41-1a-102'>41-1a-102.
- (3) "Person" means an individual, property owner, landlord, tenant, employer, business entity, or other legal entity.

34-45-103. Protection of certain activities -- Firearms -- Free exercise of religion. (Adopted 2009)

- (1) Except as provided in Subsection (2), a person may not establish, maintain, or enforce any policy or rule that has the effect of:
- (a) prohibiting any individual from transporting or storing a firearm in a motor vehicle on any property designated for motor vehicle parking, if:
 - (i) the individual is legally permitted to transport, possess, purchase, receive, transfer, or store the firearm;
 - (ii) the firearm is locked securely in the motor vehicle or in a locked container attached to the motor vehicle while the motor vehicle is not occupied; and
 - (iii) the firearm is not in plain view from the outside of the motor vehicle; or
 - (b) prohibiting any individual from possessing any item in or on a motor vehicle on any property designated for motor vehicle parking, if the effect of the policy or rule constitutes a substantial burden on that individual's free exercise of religion.
- (2) A person may establish, maintain, or enforce a policy or rule that has the effect of placing limitations on or prohibiting an individual from transporting or storing a firearm in a motor vehicle on property the person has designated for motor vehicle parking if:
- (a) the person provides, or there is otherwise available, one of the following, in a location reasonably proximate to the property the person has designated for motor vehicle parking:
 - (i) alternative parking for individuals who desire to transport, possess, receive, transfer, or store a firearm in the individual's motor vehicle at no additional cost to the individual; or
 - (ii) a secured and monitored storage location where the individual may securely store a firearm before proceeding with the vehicle into the secured parking area; or
 - (b) the person complies with Subsection 34-45-107(5).

34-45-104. Protection from liability. (Adopted 2009)

A person that owns or controls a parking area that is subject to this chapter and that complies with the requirements of Section 34-45-103 is not liable in any civil action for any occurrence resulting from, connected with, or incidental to the use of a firearm, by any person, unless the use of the firearm involves a criminal act by the person who owns or controls the parking area.

34-45-105. Cause of action for noncompliance -- Remedies. (Adopted 2009)

- (1) An individual who is injured, physically or otherwise, as a result of any policy or rule prohibited by Section 34-45-103, may bring a civil action in a court of competent jurisdiction against any person that violates the provisions of Section 34-45-103.
- (2) Any individual who asserts a claim under this section is entitled to request:
 - (a) declaratory relief;
 - (b) temporary or permanent injunctive relief to prevent the threatened or continued violation;
 - (c) recovery for actual damages sustained; and

(d) punitive damages, if:

- (i) serious bodily injury or death occurs as a result of the violation of Section 34-45-103; or
 - (ii) the person who violates Section 34-45-103 has previously been notified by the attorney general that a policy or rule violates Section 34-45-103.
- (3) The prevailing party in an action brought under this chapter may recover its court costs and reasonable attorney fees incurred.
- (4) Nothing in this chapter shall be construed or held to affect any rights or claims made in relation to Title 34A, Chapter 2, Workers' Compensation Act.

34-45-106. Enforcement by attorney general. (Adopted 2009)

- (1) The attorney general may bring an action to enforce this chapter and may request any relief that is provided for under Section 34-45-105, including a request for damages on behalf of any individual suffering loss because of a violation of this chapter.
- (2) Upon entry of final judgment for a cause of action brought under this section, the court may award restitution, when appropriate, to any individual suffering loss because of a violation of this chapter if proof of loss is submitted to the satisfaction of the court.

34-45-107. Exemptions -- Limitations on chapter -- School premises -- Government entities -- Religious organizations -- Single family detached residential units. (Adopted 2009)

- (1) (a) School premises, as defined in Subsection 76-3-203.2(1), are exempt from the provisions of this chapter.
- (b) Possession of a firearm on or about school premises is subject to the provisions of Section 76-10-505.5.
- (2) Government entities, including a local authority or state entity, are subject to the requirements of Title 53, Chapter 5a, Firearm Laws, but are otherwise exempt from the provisions of this chapter.
- (3) Religious organizations, including religious organizations acting as an employer, are exempt from, and are not subject to the provisions of this chapter.
- (4) Owner-occupied single family detached residential units and tenant-occupied single family detached residential units are exempt from the provisions of this chapter.
- (5) A person who is subject to federal law that specifically forbids the presence of a firearm from property designated for motor vehicle parking, or a person who is subject to Section 550 of the United States Department of Homeland Security Appropriations Act of 2007, Pub. L. No. 109-295 or regulations enacted in accordance with that section, is exempt from Section 34-45-103 if:
 - (a) providing alternative parking or a storage location under Subsection 34-45-103(2)(a) would pose an undue burden on the person; and
 - (b) the person files a statement with the attorney general citing the federal law that forbids the presence of a firearm and detailing the reasons why providing alternative parking or a storage location poses an undue burden.
- (6) A person who is subject to Section 550 of the United States Department of Homeland Security Appropriations Act of 2007, Pub. L. No. 109-295 or regulations enacted in accordance with that section is exempt from this chapter if:
 - (a) the person has attempted to provide alternative parking or a storage location in accordance with Subsection 34-45-103(2)(a);
 - (b) the secretary of the federal Department of Homeland Security notifies the person that the provision of alternative parking or a storage location causes the person to be out of compliance with Section 550 of the United States Department of Homeland Security Appropriations Act of 2007, Pub. L. No. 109-295 or regulations enacted in accordance with that section and the person may be subject to punitive measures; and
 - (c) the person files a detailed statement with the attorney general notifying the attorney general of the facts under Subsections (6)(a) and (b).

53-5-701. Short title. (Adopted 1993)

This part is known as the "Concealed Weapon Act."

53-5-702. Definitions. (Adopted 1997)

- (1) As used in this part:



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- (a) "Board" means the Concealed Weapon Review Board created in Section 53-5-703;
- (b) "Commissioner" means the commissioner of the Department of Public Safety; and
- (c) "Conviction" means criminal conduct where the filing of a criminal charge has resulted in:
- (i) a finding of guilt based on evidence presented to a judge or jury;
 - (ii) a guilty plea;
 - (iii) a plea of nolo contendere;
 - (iv) a plea of guilty or nolo contendere which is held in abeyance pending the successful completion of probation;
 - (v) a pending diversion agreement; or
 - (vi) a conviction which has been reduced pursuant to Section 76-3-402.
- (2) The definitions in Section 76-10-501 apply to this part.

53-5-703. Board -- Membership -- Compensation -- Terms -- Duties. (Adopted 1997)

- (1) There is created within the division the Concealed Weapon Review Board.
- (2)(a) The board is comprised of not more than five members appointed by the commissioner on a bipartisan basis.
- (b) The board shall include a member representing law enforcement and at least two citizens, one of whom represents sporting interests.
- (3)(a) Except as required by Subsection (b), as terms of current board members expire, the commissioner shall appoint each new member or reappointed member to a four-year term.
- (b) Notwithstanding the requirements of Subsection (a), the commissioner shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that approximately half of the board is appointed every two years.
- (4) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.
- (5)(a)(i) Members who are not government employees shall receive no compensation or benefits for their services, but may receive per diem and expenses incurred in the performance of the member's official duties at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- (ii) Members may decline to receive per diem and expenses for their service.
- (b)(i) State government officer and employee members who do not receive salary, per diem, or expenses from their agency for their service may receive per diem and expenses incurred in the performance of their official duties from the board at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- (ii) State government officer and employee members may decline to receive per diem and expenses for their service.
- (6) The board shall meet at least quarterly, unless the board has no business to conduct during that quarter.
- (7) The board, upon receiving a timely filed petition for review, shall review within a reasonable time the denial, suspension, or revocation of a permit or a temporary permit to carry a concealed firearm.

53-5-704. Division duties -- Permit to carry concealed firearm -- Certification for concealed firearms instructor -- Requirements for issuance -- Violation -- Denial, suspension, or revocation -- Appeal procedure. (Adopted 2006)

- (1)(a) The division or its designated agent shall issue a permit to carry a concealed firearm for lawful self defense to an applicant who is 21 years of age or older within 60 days after receiving an application, unless during the 60-day period the division finds proof that the applicant is not of good character.
- (b) The permit is valid throughout the state for five years, without restriction, except as otherwise provided by Section 53-5-710.
- (2)(a) An applicant satisfactorily demonstrates good character if the applicant:
- (i) has not been convicted of a felony;
 - (ii) has not been convicted of a crime of violence;
 - (iii) has not been convicted of an offense involving the use of alcohol;
 - (iv) has not been convicted of an offense involving the unlawful use of narcotics or other controlled substances;
 - (v) has not been convicted of an offense involving moral turpitude;

- (vi) has not been convicted of an offense involving domestic violence;
 - (vii) has not been adjudicated by a state or federal court as mentally incompetent, unless the adjudication has been withdrawn or reversed; and
 - (viii) is qualified to purchase and possess a firearm pursuant to Section 76-10-503 and federal law.
- (b) In assessing good character under Subsection (2)(a), the licensing authority shall consider mitigating circumstances.
- (3)(a) The division may deny, suspend, or revoke a concealed firearm permit if it has reasonable cause to believe that the applicant has been or is a danger to self or others as demonstrated by evidence, including:
- (i) past pattern of behavior involving unlawful violence or threats of unlawful violence;
 - (ii) past participation in incidents involving unlawful violence or threats of unlawful violence; or
 - (iii) conviction of an offense in violation of Title 76, Chapter 10, Part 5, Weapons.
- (b) The division may not deny, suspend, or revoke a concealed firearm permit solely for a single conviction for an infraction violation of Title 76, Chapter 10, Part 5, Weapons.
- (c) In determining whether the applicant has been or is a danger to self or others, the division may inspect:
- (i) expunged records of arrests and convictions of adults as provided in Section 77-18-15; and
 - (ii) juvenile court records as provided in Section 78-3a-206.
- (d) (i) If a person granted a permit under this part has been charged with a crime of violence in any state, the division shall suspend the permit.
- (ii) Upon notice of the acquittal of the person charged, or notice of the charges having been dropped, the division shall immediately reinstate the suspended permit.
- (4) A former peace officer who departs full-time employment as a peace officer, in an honorable manner, shall be issued a concealed firearm permit within five years of that departure if the officer meets the requirements of this section.
- (5) Except as provided in Subsection (6), the licensing authority shall also require the applicant to provide:
- (a) the address of the applicant's permanent residence;
 - (b) one recent dated photograph;
 - (c) one set of fingerprints; and
 - (d) evidence of general familiarity with the types of firearms to be concealed as defined in Subsection (7).
- (6) An applicant who is a law enforcement officer under Section 53-13-103 may provide a letter of good standing from the officer's commanding officer in place of the evidence required by Subsection (5)(d).
- (7)(a) General familiarity with the types of firearms to be concealed includes training in:
- (i) the safe loading, unloading, storage, and carrying of the types of firearms to be concealed; and
 - (ii) current laws defining lawful use of a firearm by a private citizen, including lawful self-defense, use of force by a private citizen, including use of deadly force, transportation, and concealment.
- (b) Evidence of general familiarity with the types of firearms to be concealed may be satisfied by one of the following:
- (i) completion of a course of instruction conducted by a national, state, or local firearms training organization approved by the division;
 - (ii) certification of general familiarity by a person who has been certified by the division, which may include a law enforcement officer, military or civilian firearms instructor, or hunter safety instructor; or
 - (iii) equivalent experience with a firearm through participation in an organized shooting competition, law enforcement, or military service.
- (c) Instruction taken by a student under Subsection (7)(b) shall be in person and not through electronic means.
- (8)(a) An applicant for certification as a Utah concealed firearms instructor shall:
- (i) be at least 21 years of age;
 - (ii) be currently eligible to possess a firearm under Section 76-10-503 and federal law;
 - (iii) have a current National Rifle Association certification or its equivalent as determined by the division; and



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(iv) for certificates issued beginning July 1, 2006, have taken a course of instruction and passed a certification test as described in Subsection (8)(c).

(b) An instructor's certification is valid for three years from the date of issuance, unless revoked by the division.

(c)(i) In order to obtain initial certification or renew a certification, an instructor shall attend an instructional course and pass a test under the direction of the division.

(ii)(A) Beginning May 1, 2006, the division shall provide or contract to provide the course referred to in Subsection (8)(c)(i) twice every year.

(B) The course shall include instruction on current Utah law related to firearms, including concealed carry statutes and rules, and the use of deadly force by private citizens.

(d)(i) Each applicant for certification under this Subsection (8) shall pay a fee of \$50.00 at the time of application for initial certification.

(ii) The renewal fee for the certificate is \$25.

(iii) The fees paid under Subsections (8)(d)(i) and (ii) may be used by the division as a dedicated credit to cover the cost incurred in maintaining and improving the instruction program required for concealed firearm instructors under this Subsection (8).

(9) A certified concealed firearms instructor shall provide each of the instructor's students with the required course of instruction outline approved by the division.

(10)(a)(i) A concealed firearms instructor is required to provide a signed certificate to a person successfully completing the offered course of instruction.

(ii) The instructor shall sign the certificate with the exact name indicated on the instructor's certification issued by the division under Subsection (8).

(iii)(A) The certificate shall also have affixed to it the instructor's official seal, which is the exclusive property of the instructor and may not be used by any other person.

(B) The instructor shall destroy the seal upon revocation or expiration of the instructor's certification under Subsection (8).

(C) The division shall determine the design and content of the seal to include at least the following:

(I) the instructor's name as it appears on the instructor's certification;

(II) the words "Utah Certified Concealed Firearms Instructor," "state of Utah," and "my certification expires on (the instructor's certification expiration date)"; and

(III) the instructor's business or residence address.

(D) The seal shall be affixed to each student certificate issued by the instructor in a manner that does not obscure or render illegible any information or signatures contained in the document.

(b) The applicant shall provide the certificate to the division in compliance with Subsection (5)(d).

(11) The division may deny, suspend, or revoke the certification of a concealed firearms instructor if it has reason to believe the applicant has:

(a) become ineligible to possess a firearm under Section 76-10-503 or federal law; or

(b) knowingly and willfully provided false information to the division.

(12) A concealed firearms instructor has the same appeal rights as set forth in Subsection (15).

(13) In providing instruction and issuing a permit under this part, the concealed firearms instructor and the licensing authority are not vicariously liable for damages caused by the permit holder.

(14) An individual who knowingly and willfully provides false information on an application filed under this part is guilty of a class B misdemeanor, and the application may be denied, or the permit may be suspended or revoked.

(15)(a) In the event of a denial, suspension, or revocation of a permit, the applicant may file a petition for review with the board within 60 days from the date the denial, suspension, or revocation is received by the applicant by certified mail, return receipt requested.

(b) The denial of a permit shall be in writing and shall include the general reasons for the action.

(c) If an applicant appeals the denial to the review board, the applicant may have access to the evidence upon which the denial is based in accordance with Title 63, Chapter 2, Government Records Access and Management Act.

(d) On appeal to the board, the agency has the burden of proof by a preponderance of the evidence.

(e)(i) Upon a ruling by the board on the appeal of a denial, the division shall issue a final order within 30 days stating the board's decision.

(ii) The final order shall be in the form prescribed by Subsection 63-46b-5(1)(i).

(iii) The final order is final agency action for purposes of judicial review under Section 63-46b-15.

(16) The commissioner may make rules in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, necessary to administer this chapter.

53-5-705. Temporary permit to carry concealed firearm -- Denial, suspension, or revocation -- Appeal. (Adopted 1997)

(1) The division or its designated agent may issue a temporary permit to carry a concealed firearm to a person who:

- (a) has applied for a permit under Section 53-5-704;
- (b) has applied for a temporary permit under this section; and
- (c) meets the criteria required in Subsections (2) and (3).

(2) To receive a temporary permit under this section, the applicant shall:

(a) demonstrate good character by the same requirements as in Section 53-5-704; and

(b) demonstrate in writing to the satisfaction of the licensing authority extenuating circumstances that would justify issuing a temporary permit.

(3) A temporary permit may not be issued under this section until preliminary record checks regarding the applicant have been made with the National Crime Information Center and the division to determine any criminal history.

(4) A temporary permit is valid only for a maximum of 90 days or any lesser period specified by the division, or until a permit under Section 53-5-704 is issued to the holder of the temporary permit, whichever period is shorter.

(5) The licensing authority may deny, suspend, or revoke a temporary permit prior to expiration if the commissioner determines:

- (a) the circumstances justifying the temporary permit no longer exist;
- (b) the holder of the permit has knowingly and willfully provided false information regarding his character; or
- (c) the holder of the temporary permit does not meet the requirements for a permit under Section 53-5-704.

(6)(a) The denial, suspension, or revocation of a temporary permit shall be in writing and shall include the reasons for the action.

(b) The licensing authority's decision to deny, suspend, or revoke a temporary permit may not be appealed to the board.

(c) Denial, suspension, or revocation under this subsection is final action for purposes of judicial review under Section 63-46b-15.

53-5-706. Permit -- Fingerprints transmitted to division -- Report from division. (Adopted 2004)

(1) (a) Except as provided in Subsection (2), the fingerprints of each applicant shall be taken on a form prescribed by the division and shall be forwarded to the division.

(b) Upon receipt of the fingerprints and the fee prescribed in Section 53-5-707, the division shall conduct a search of its files for criminal history information pertaining to the applicant, and shall request the Federal Bureau of Investigation to conduct a similar search through its files.

(c) The division shall promptly furnish the forwarding licensing authority a report of all data and information pertaining to any applicant of which there is a record in its office, or of which a record is found in the files of the Federal Bureau of Investigation.

(d) A permit may not be issued by any licensing authority until receipt of the report from the division.

(2) If the permit applicant has previously applied to the same licensing authority for a permit to carry concealed firearms and the applicant's fingerprints and fee have been previously forwarded within one year to the division, the licensing authority shall note the previous identification numbers and other data which would provide positive identification in the files of the division on the copy of any subsequent permit submitted to the division in accordance with this section, and no additional application form, fingerprints, or fee are required.

53-5-707. Permit -- Fees -- Disposition. (Adopted 2007)

(1) (a) Each applicant for a permit shall pay a fee of \$35 at the time of filing an application.



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- (b) The initial fee shall be waived for an applicant who is a law enforcement officer under Section 53-13-103.
- (2) The renewal fee for the permit is \$10.
- (3) The replacement fee for the permit is \$10.
- (4) The late fee for the renewal permit is \$7.50.
- (5)(a) The division shall use the fees collected under Subsections (1), (2), (3), and (4) as a dedicated credit to cover the costs of issuing concealed firearm permits under this part.
- (b) All revenue collected from the fees identified in Subsections (1), (2), (3), and (4) in excess of the amount necessary to cover the cost of issuing concealed firearm permits under this part shall be retained by the Bureau of Criminal Identification to help fund any other costs incurred by the bureau, but only for the fiscal year 2007-08.
- (6)(a) The division may collect any fees charged by an outside agency for additional services required by statute as a prerequisite for issuance of a permit.
- (b) The division shall promptly forward any fees collected under Subsection (6)(a) to the appropriate agency.
- (7) The division shall make an annual report to the Legislature's Law Enforcement and Criminal Justice Interim Committee on the amount and use of the fees collected under this section.

53-5-708. Permit -- Names private. (Adopted 2002)

- (1) When any permit is issued, a record shall be maintained in the office of the licensing authority. Notwithstanding the requirements of Subsection 63-2-301(1)(b), the names, addresses, telephone numbers, dates of birth, and Social Security numbers of persons receiving permits are protected records under Subsection 63-2-304 (10).
- (2) Copies of each permit issued shall be filed immediately by the licensing authority with the division.

53-5-710. Cross-references to concealed firearm permit restrictions. (Adopted 1999)

A person with a permit to carry a concealed firearm may not carry a concealed firearm in the following locations:

- (1) any secure area prescribed in Section 76-10-523.5 in which firearms are prohibited and notice of the prohibition posted;
- (2) in any airport secure area as provided in Section 76-10-529; or
- (3) in any house of worship or in any private residence where dangerous weapons are prohibited as provided in Section 76-10-530.

53B-3-103. Power of board to adopt rules and enact regulations. (Adopted 2007)

(1) The board may enact regulations governing the conduct of university and college students, faculty, and employees.

(2) (a) The board may:

(i) enact and authorize higher education institutions to enact traffic, parking, and related regulations governing all individuals on campuses and other facilities owned or controlled by the institutions or the board; and

(ii) acknowledging that the Legislature has the authority to regulate, by law, firearms at higher education institutions:

(A) authorize higher education institutions to establish no more than one secure area at each institution as a hearing room as prescribed in Section 76-8-311.1, but not otherwise restrict the lawful possession or carrying of firearms; and

(B) authorize a higher education institution to make a rule that allows a resident of a dormitory located at the institution to request only roommates who are not licensed to carry a concealed firearm under Section 53-5-704 or 53-5-705.

(b) In addition to the requirements and penalty prescribed in Subsections 76-8-311.1(3), (4), (5), and (6), the board shall make rules to ensure that:

(i) reasonable means such as mechanical, electronic, x-ray, or similar devices are used to detect firearms, ammunition, or dangerous weapons contained in the personal property of or on the person of any individual attempting to enter a secure area hearing room;

(ii) an individual required or requested to attend a hearing in a secure area hearing room is notified in writing of the requirements related to entering a secured area hearing room under this Subsection (2)(b) and Section 76-8-311.1;

(iii) the restriction of firearms, ammunition, or dangerous weapons in the secure area hearing room is in effect only during the time the secure area hearing room is in use for hearings and for a reasonable time before and after its use; and

(iv) reasonable space limitations are applied to the secure area hearing room as warranted by the number of individuals involved in a typical hearing.

(3) The board and institutions may enforce these rules and regulations in any reasonable manner, including the assessment of fees, fines, and forfeitures, the collection of which may be by withholding from moneys owed the violator, the imposition of probation, suspension, or expulsion from the institution, the revocation of privileges, the refusal to issue certificates, degrees, and diplomas, through judicial process or any reasonable combination of these alternatives.

63-5a-12. Prohibition of restrictions on and confiscation of a firearm or ammunition during an emergency. (Adopted 2008)

(1) As used in this section:

(a)(i) "Confiscate" means for an individual in Utah to intentionally deprive another of a privately owned firearm.

(ii) "Confiscate" does not include the taking of a firearm from an individual:

(A) in self-defense;

(B) possessing a firearm while the individual is committing a felony or misdemeanor; or

(C) who may not, under state or federal law, possess the firearm.

(b) "Firearm" has the same meaning as defined in Subsection 76-10-501(9).

(2) During a declared state of emergency or local emergency under this chapter:

(a) neither the governor nor an agency of a governmental entity or political subdivision of the state may impose restrictions on the lawful possession, transfer, sale, transport, storage, display, or use of a firearm or ammunition; and

(b) an individual, while purporting to act on behalf of the state or a political subdivision of the state, may not confiscate a privately owned firearm of another individual.

(3)(a) An individual who has a firearm confiscated in violation of Subsection (2)(a) may bring a civil action in a court having the appropriate jurisdiction:

(i) for damages, in the maximum amount of \$10,000, against a person who violates Subsection (2)(b);

(ii) for a civil penalty, in the amount of \$5,000 per violation, against a person who violates Subsection (2)(b); and

(iii) for return of the confiscated firearm.

(b) The court shall award costs and reasonable attorney fees to the prevailing party, other than the state or a political subdivision of the state, in an action brought under Subsection (3)(a).

63-98-102. Uniform firearm laws. (Adopted 2004)

(1) The individual right to keep and bear arms being a constitutionally protected right under Article I, Section 6 of the Utah Constitution, the Legislature finds the need to provide uniform civil and criminal firearm laws throughout the state.

(2) Except as specifically provided by state law, a local authority or state entity may not:

(a) prohibit an individual from owning, possessing, purchasing, selling, transferring, transporting, or keeping a firearm at the individual's place of residence, property, business, or in any vehicle lawfully in the individual's possession or lawfully under the individual's control; or

(b) require an individual to have a permit or license to purchase, own, possess, transport, or keep a firearm.

(3) In conjunction with Title 76, Chapter 10, Part 5, Weapons, this section is uniformly applicable throughout this state and in all its political subdivisions and municipalities.

(4) All authority to regulate firearms is reserved to the state except where the Legislature specifically delegates responsibility to local authorities or state entities.

(5) Unless specifically authorized by the Legislature by statute, a local authority or state entity may not enact, establish, or enforce any ordinance, regulation, rule, or policy pertaining to firearms that in any way



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inhibits or restricts the possession or use of firearms on either public or private property.

(6) As used in this section:

(a) "firearm" has the same meaning as defined in Subsection 76-10-501(9); and

(b) "local authority or state entity" includes public school districts, public schools, and state institutions of higher education.

(7) Nothing in this section restricts or expands private property rights.

76-2-401. Justification as defense -- When allowed. (Adopted 2000)

(1) Conduct which is justified is a defense to prosecution for any offense based on the conduct. The defense of justification may be claimed:

(a) when the actor's conduct is in defense of persons or property under the circumstances described in Sections 76-2-402 through 76-2-406 of this part;

(b) when the actor's conduct is reasonable and in fulfillment of his duties as a governmental officer or employee;

(c) when the actor's conduct is reasonable discipline of minors by parents, guardians, teachers, or other persons in loco parentis, as limited by Subsection (2);

(d) when the actor's conduct is reasonable discipline of persons in custody under the laws of the state; or

(e) when the actor's conduct is justified for any other reason under the laws of this state.

(2) The defense of justification under Subsection (1)(c) is not available if the offense charged involves causing serious bodily injury, as defined in Section 76-1-601, serious physical injury, as defined in Section 76-5-109, or the death of the minor.

76-2-402. Force in defense of person -- Forcible felony defined. (Adopted 1994)

(1) A person is justified in threatening or using force against another when and to the extent that he or she reasonably believes that force is necessary to defend himself or a third person against such other's imminent use of unlawful force. However, that person is justified in using force intended or likely to cause death or serious bodily injury only if he or she reasonably believes that force is necessary to prevent death or serious bodily injury to himself or a third person as a result of the other's imminent use of unlawful force, or to prevent the commission of a forcible felony.

(2) A person is not justified in using force under the circumstances specified in Subsection (1) if he or she:

(a) initially provokes the use of force against himself with the intent to use force as an excuse to inflict bodily harm upon the assailant;

(b) is attempting to commit, committing, or fleeing after the commission or attempted commission of a felony; or

(c)(i) was the aggressor or was engaged in a combat by agreement, unless he withdraws from the encounter and effectively communicates to the other person his intent to do so and, notwithstanding, the other person continues or threatens to continue the use of unlawful force; and (ii) for purposes of Subsection (i) the following do not, by themselves, constitute "combat by agreement":

(A) voluntarily entering into or remaining in an ongoing relationship; or

(B) entering or remaining in a place where one has a legal right to be.

(3) A person does not have a duty to retreat from the force or threatened force described in Subsection (1) in a place where that person has lawfully entered or remained, except as provided in Subsection (2)(c).

(4) For purposes of this section, a forcible felony includes aggravated assault, mayhem, aggravated murder, murder, manslaughter, kidnapping, and aggravated kidnapping, rape, forcible sodomy, rape of a child, object rape, object rape of a child, sexual abuse of a child, aggravated sexual abuse of a child, and aggravated sexual assault as defined in Title 76, Chapter 5, and arson, robbery, and burglary as defined in Title 76, Chapter 6. Any other felony offense which involves the use of force or violence against a person so as to create a substantial danger of death or serious bodily injury also constitutes a forcible felony. Burglary of a vehicle, defined in Section 76-6-204, does not constitute a forcible felony except when the vehicle is occupied at the time unlawful entry is made or attempted.

(5) In determining imminence or reasonableness under Subsection (1), the trier of fact may consider, but is not limited to, any of the following factors:

(a) the nature of the danger;

(b) the immediacy of the danger;

(c) the probability that the unlawful force would result in death or serious bodily injury;

(d) the other's prior violent acts or violent propensities; and

(e) any patterns of abuse or violence in the parties' relationship.

76-2-403. Force in arrest. (Adopted 1973)

Any person is justified in using any force, except deadly force, which he reasonably believes to be necessary to effect an arrest or to defend himself or another from bodily harm while making an arrest.

76-2-404. Peace officer's use of deadly force. (Adopted 2004)

(1) A peace officer, or any person acting by his command in his aid and assistance, is justified in using deadly force when:

(a) the officer is acting in obedience to and in accordance with the judgment of a competent court in executing a penalty of death under Subsection 77-18-5.5(3) or (4);

(b) effecting an arrest or preventing an escape from custody following an arrest, where the officer reasonably believes that deadly force is necessary to prevent the arrest from being defeated by escape; and

(i) the officer has probable cause to believe that the suspect has committed a felony offense involving the infliction or threatened infliction of death or serious bodily injury; or

(ii) the officer has probable cause to believe the suspect poses a threat of death or serious bodily injury to the officer or to others if apprehension is delayed; or

(c) the officer reasonably believes that the use of deadly force is necessary to prevent death or serious bodily injury to the officer or another person.

(2) If feasible, a verbal warning should be given by the officer prior to any use of deadly force under Subsection (1)(b) or (1)(c).

76-2-405. Force in defense of habitation. (Adopted 1985)

(1) A person is justified in using force against another when and to the extent that he reasonably believes that the force is necessary to prevent or terminate the other's unlawful entry into or attack upon his habitation; however, he is justified in the use of force which is intended or likely to cause death or serious bodily injury only if:

(a) the entry is made or attempted in a violent and tumultuous manner, surreptitiously, or by stealth, and he reasonably believes that the entry is attempted or made for the purpose of assaulting or offering personal violence to any person, dwelling, or being in the habitation and he reasonably believes that the force is necessary to prevent the assault or offer of personal violence; or

(b) he reasonably believes that the entry is made or attempted for the purpose of committing a felony in the habitation and that the force is necessary to prevent the commission of the felony.

(2) The person using force or deadly force in defense of habitation is presumed for the purpose of both civil and criminal cases to have acted reasonably and had a reasonable fear of imminent peril of death or serious bodily injury if the entry or attempted entry is unlawful and is made or attempted by use of force, or in a violent and tumultuous manner, or surreptitiously or by stealth, or for the purpose of committing a felony.

76-2-406. Force in defense of property. (Adopted 1973)

A person is justified in using force, other than deadly force, against another when and to the extent that he reasonably believes that force is necessary to prevent or terminate criminal interference with real property or personal property:

(1) Lawfully in his possession; or

(2) Lawfully in the possession of a member of his immediate family; or

(3) Belonging to a person whose property he has a legal duty to protect.

76-2-407. Deadly force in defense of persons on real property. (Adopted 2002)



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(1) A person is justified in using force intended or likely to cause death or serious bodily injury against another in his defense of persons on real property other than his habitation if:

(a) he is in lawful possession of the real property;

(b) he reasonably believes that the force is necessary to prevent or terminate the other person's trespass onto the real property;

(c) the trespass is made or attempted by use of force or in a violent and tumultuous manner; and

(d)(i) the person reasonably believes that the trespass is attempted or made for the purpose of committing violence against any person on the real property and he reasonably believes that the force is necessary to prevent personal violence; or

(ii) the person reasonably believes that the trespass is made or attempted for the purpose of committing a forcible felony as defined in Section 76-2-402 that poses imminent peril of death or serious bodily injury to a person on the real property and that the force is necessary to prevent the commission of that forcible felony.

(2) The person using deadly force in defense of persons on real property under Subsection (1) is presumed for the purpose of both civil and criminal cases to have acted reasonably and had a reasonable fear of imminent peril of death or serious bodily injury if the trespass or attempted trespass is unlawful and is made or attempted by use of force, or in a violent and tumultuous manner, or for the purpose of committing a forcible felony.

76-3-203.2. Definitions -- Use of dangerous weapon in offenses committed on or about school premises -- Enhanced penalties.

(1) (a) As used in this section and Section 76-10-505.5, "on or about school premises" means any of the following:

(i) in a public or private elementary, secondary, or on the grounds of any of those schools;

(ii) in a public or private vocational school or postsecondary institution or on the grounds of any of those schools or institutions;

(iii) in those portions of any building, park, stadium, or other structure or grounds which are, at the time of the act, being used for an activity sponsored by or through a school or institution under Subsections (1)(a)(i) and (ii);

(iv) in or on the grounds of a preschool or child-care facility; and
(v) within 1,000 feet of any structure, facility, or grounds included in Subsections (1)(a)(i), (ii), (iii), and (iv).

(b) As used in this section:

(i) "Dangerous weapon" has the same definition as in Section 76-1-601.

(ii) "Educator" means any person who is employed by a public school district and who is required to hold a certificate issued by the State Board of Education in order to perform duties of employment.

(iii) "Within the course of employment" means that an educator is providing services or engaging in conduct required by the educator's employer to perform the duties of employment.

(2) Any person who, on or about school premises, commits any offense and uses or threatens to use a dangerous weapon, as defined in Section 76-1-601, in the commission of the offense is subject to an enhanced degree of offense as provided in Subsection (4).

(3) (a) Any person who commits an offense against an educator when the educator is acting within the course of employment is subject to an enhanced degree of offense as provided in Subsection (4).

(b) As used in Subsection (3)(a), "offense" means:

(i) an offense under Title 76, Chapter 5, Offenses Against The Person; and

(ii) an offense under Title 76, Chapter 6, Part 3, Robbery.

76-5-102. Assault. (Adopted 2003)

(1) Assault is:

(a) an attempt, with unlawful force or violence, to do bodily injury to another;

(b) a threat, accompanied by a show of immediate force or violence, to do bodily injury to another; or

(c) an act, committed with unlawful force or violence, that causes bodily injury to another or creates a substantial risk of bodily injury to another.

(2) Assault is a class B misdemeanor.

(3) Assault is a class A misdemeanor if:

(a) the person causes substantial bodily injury to another; or

(b) the victim is pregnant and the person has knowledge of the pregnancy.

(4) It is not a defense against assault, that the accused caused serious bodily injury to another.

76-5-103. Aggravated assault. (Adopted 1995)

(1) A person commits aggravated assault if he commits assault as defined in Section 76-5-102 and he:

(a) intentionally causes serious bodily injury to another; or

(b) under circumstances not amounting to a violation of Subsection (1)(a), uses a dangerous weapon as defined in Section 76-1-601 or other means or force likely to produce death or serious bodily injury.

(2) A violation of Subsection (1)(a) is a second degree felony.

(3) A violation of Subsection (1)(b) is a third degree felony.

76-5-104. Consensual altercation. (Adopted 1997)

In any prosecution for criminal homicide under Part 2 of this chapter or assault, it is no defense to the prosecution that the defendant was a party to any duel, mutual combat, or other consensual altercation if during the course of the duel, combat, or altercation any dangerous weapon as defined in Section 76-1-601 was used or if the defendant was engaged in an ultimate fighting match as defined in Section 76-9-705.

76-5-107. Terroristic threat -- Penalty. (Adopted 2002)

(1) A person commits a terroristic threat if he threatens to commit any offense involving bodily injury, death, or substantial property damage, and:

(a) he threatens the use of a weapon of mass destruction, as defined in Section 76-10-401, or threatens by the use of a hoax weapon of mass destruction, as defined in Section 76-10-401; or

(b) he acts with intent to:

(i) intimidate or coerce a civilian population or to influence or affect the conduct of a government or a unit of government;

(ii) cause action of any nature by an official or volunteer agency organized to deal with emergencies;

(iii) place a person in fear of imminent serious bodily injury, substantial bodily injury, or death; or

(iv) prevent or interrupt the occupation of a building or a portion of the building, a place to which the public has access, or a facility or vehicle of public transportation operated by a common carrier.

(2) (a) A violation of Subsection (1)(a) or (1)(b)(i) is a second degree felony.

(b) A violation of Subsection (1)(b)(iv) is a third degree felony.

(c) Any other violation of this section is a class B misdemeanor.

(3) It is not a defense under this section that the person did not attempt to or was incapable of carrying out the threat.

(4) A threat under this section may be express or implied.

(5) A person who commits an offense under this section is subject to punishment for that offense, in addition to any other offense committed, including the carrying out of the threatened act.

(6) In addition to any other penalty authorized by law, a court shall order any person convicted of any violation of this section to reimburse any federal, state, or local unit of government, or any private business, organization, individual, or entity for all expenses and losses incurred in responding to the violation, unless the court states on the record the reasons why the reimbursement would be inappropriate.

76-8-311.1. Secure areas -- Items prohibited -- Penalty. (Adopted 2002)

(1) In addition to the definitions in Section 76-10-501, as used in this section:

(a) "Correctional facility" has the same meaning as defined in Section 76-8-311.3.

(b) "Explosive" has the same meaning as defined for "explosive, chemical, or incendiary device" defined in Section 76-10-306.

(c) "Law enforcement facility" means a facility which is owned, leased, or operated by a law enforcement agency.

(d) "Mental health facility" has the same meaning as defined in Section 62A-15-602.

(e)(i) "Secure area" means any area into which certain persons are restricted from transporting any firearm, ammunition, dangerous weapon, or explosive.



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(ii) A "secure area" may not include any area normally accessible to the public.

(2)(a) A person in charge of a correctional, law enforcement, or mental health facility may establish secure areas within the facility and may prohibit or control by rule any firearm, ammunition, dangerous weapon, or explosive.

(b) Subsections (2)(a), (3), (4), (5), and (6) apply to higher education secure area hearing rooms referred to in Subsections 53B-3-103(2)(a)(ii) and (b).

(3) At least one notice shall be prominently displayed at each entrance to an area in which a firearm, ammunition, dangerous weapon, or explosive is restricted.

(4)(a) Provisions shall be made to provide a secure weapons storage area so that persons entering the secure area may store their weapons prior to entering the secure area.

(b) The entity operating the facility shall be responsible for weapons while they are stored in the storage area.

(5) It is a defense to any prosecution under this section that the accused, in committing the act made criminal by this section, acted in conformity with the facility's rule or policy established pursuant to this section.

(6)(a) Any person who knowingly or intentionally transports into a secure area of a facility any firearm, ammunition, or dangerous weapon is guilty of a third degree felony.

(b) Any person violates Section 76-10-306 who knowingly or intentionally transports, possesses, distributes, or sells any explosive in a secure area of a facility.

76-8-311.3. Items prohibited in correctional and mental health facilities -- Penalties. (Adopted 2004)

(1) As used in this section:

(a) "Contraband" means any item not specifically prohibited for possession by offenders under this section or Title 58, Chapter 37, Utah Controlled Substances Act.

(b) "Controlled substance" means any substance defined as a controlled substance under Title 58, Chapter 37, Utah Controlled Substances Act.

(c) "Correctional facility" means:

(i) any facility operated by or contracting with the Department of Corrections to house offenders in either a secure or nonsecure setting;

(ii) any facility operated by a municipality or a county to house or detain criminal offenders;

(iii) any juvenile detention facility; and

(iv) any building or grounds appurtenant to the facility or lands granted to the state, municipality, or county for use as a correctional facility.

(d) "Medicine" means any prescription drug as defined in Title 58, Chapter 17b, Pharmacy Practice Act, but does not include any controlled substances as defined in Title 58, Chapter 37, Utah Controlled Substances Act.

(e) "Mental health facility" has the same meaning as defined in Section 62A-15-602.

(f) "Offender" means a person in custody at a correctional facility.

(g) "Secure area" has the same meaning as provided in Section 76-8-311.1.

(2) Notwithstanding Section 76-10-500, a correctional or mental health facility may provide by rule that no firearm, ammunition, dangerous weapon, implement of escape, explosive, controlled substance, spirituous or fermented liquor, medicine, or poison in any quantity may be:

(a) transported to or upon a correctional or mental health facility;

(b) sold or given away at any correctional or mental health facility;

(c) given to or used by any offender at a correctional or mental health facility; or

(d) knowingly or intentionally possessed at a correctional or mental health facility.

(3) It is a defense to any prosecution under this section if the accused in committing the act made criminal by this section:

(a) with respect to a correctional facility operated by the Department of Corrections, acted in conformity with departmental rule or policy;

(b) with respect to a correctional facility operated by a municipality, acted in conformity with the policy of the municipality;

(c) with respect to a correctional facility operated by a county, acted in conformity with the policy of the county; or

(d) with respect to a mental health facility, acted in conformity with the policy of the mental health facility.

(4) (a) Any person who transports to or upon a correctional facility, or into a secure area of a mental health facility, any firearm, ammunition, dangerous weapon, or implement of escape with intent to provide or sell it to any offender, is guilty of a second degree felony.

(b) Any person who provides or sells to any offender at a correctional facility, or any detainee at a secure area of a mental health facility, any firearm, ammunition, dangerous weapon, or implement of escape is guilty of a second degree felony.

(c) Any offender who possesses at a correctional facility, or any detainee who possesses at a secure area of a mental health facility, any firearm, ammunition, dangerous weapon, or implement of escape is guilty of a second degree felony.

(d) Any person who, without the permission of the authority operating the correctional facility or the secure area of a mental health facility, knowingly possesses at a correctional facility or a secure area of a mental health facility any firearm, ammunition, dangerous weapon, or implement of escape is guilty of a third degree felony.

(e) Any person violates Section 76-10-306 who knowingly or intentionally transports, possesses, distributes, or sells any explosive in a correctional facility or mental health facility.

(5) (a) A person is guilty of a third degree felony who, without the permission of the authority operating the correctional facility or secure area of a mental health facility, knowingly transports to or upon a correctional facility or into a secure area of a mental health facility any:

(i) spirituous or fermented liquor;

(ii) medicine, whether or not lawfully prescribed for the offender; or

(iii) poison in any quantity.

(b) A person is guilty of a third degree felony who knowingly violates correctional or mental health facility policy or rule by providing or selling to any offender at a correctional facility or detainee within a secure area of a mental health facility any:

(i) spirituous or fermented liquor;

(ii) medicine, whether or not lawfully prescribed for the offender; or

(iii) poison in any quantity.

(c) An inmate is guilty of a third degree felony who, in violation of correctional or mental health facility policy or rule, possesses at a correctional facility or in a secure area of a mental health facility any:

(i) spirituous or fermented liquor;

(ii) medicine, other than medicine provided by the facility's health care providers in compliance with facility policy; or

(iii) poison in any quantity.

(d) A person is guilty of a class A misdemeanor who, with the intent to directly or indirectly provide or sell any tobacco product to an offender, directly or indirectly:

(i) transports, delivers, or distributes any tobacco product to an offender or on the grounds of any correctional facility;

(ii) solicits, requests, commands, coerces, encourages, or intentionally aids another person to transport any tobacco product to an offender or on any correctional facility, if the person is acting with the mental state required for the commission of an offense; or

(iii) facilitates, arranges, or causes the transport of any tobacco product in violation of this section to an offender or on the grounds of any correctional facility.

(e) A person is guilty of a class A misdemeanor who, without the permission of the authority operating the correctional or mental health facility, fails to declare or knowingly possesses at a correctional facility or in a secure area of a mental health facility any:

(i) spirituous or fermented liquor;

(ii) medicine; or

(iii) poison in any quantity.

(f) A person is guilty of a class B misdemeanor who, without the permission of the authority operating the correctional facility, knowingly engages in any activity that would facilitate the possession of any contraband by an offender in a correctional facility. The provisions of Subsection (5)(d) regarding any tobacco product take precedence over this Subsection (5)(f).

(g) Exemptions may be granted for worship for Native American inmates pursuant to Section 64-13-40.



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(6) The possession, distribution, or use of a controlled substance at a correctional facility or in a secure area of a mental health facility shall be prosecuted in accordance with Title 58, Chapter 37, Utah Controlled Substances Act.

(7) The department shall make rules under Title 63, Chapter 46a, Utah Administrative Rulemaking Act, to establish guidelines for providing written notice to visitors that providing any tobacco product to offenders is a class A misdemeanor.

76-8-512. Impersonation of officer. (Adopted 1991)

A person is guilty of a class B misdemeanor who:

(1) impersonates a public servant or a peace officer with intent to deceive another or with intent to induce another to submit to his pretended official authority or to rely upon his pretended official act;

(2) falsely states he is a public servant or a peace officer with intent to deceive another or to induce another to submit to his pretended official authority or to rely upon his pretended official act; or

(3) displays or possesses without authority any badge, identification card, other form of identification, any restraint device, or the uniform of any state or local governmental entity, or a reasonable facsimile of any of these items, with the intent to deceive another or with the intent to induce another to submit to his pretended official authority or to rely upon his pretended official act.

76-10-500. Uniform law. (Adopted 1999)

(1) The individual right to keep and bear arms being a constitutionally protected right, the Legislature finds the need to provide uniform laws throughout the state. Except as specifically provided by state law, a citizen of the United States or a lawfully admitted alien shall not be:

(a) prohibited from owning, possessing, purchasing, selling, transferring, transporting, or keeping any firearm at his place of residence, property, business, or in any vehicle lawfully in his possession or lawfully under his control; or

(b) required to have a permit or license to purchase, own, possess, transport, or keep a firearm.

(2) This part is uniformly applicable throughout this state and in all its political subdivisions and municipalities. All authority to regulate firearms shall be reserved to the state except where the Legislature specifically delegates responsibility to local authorities or state entities. Unless specifically authorized by the Legislature by statute, a local authority or state entity may not enact or enforce any ordinance, regulation, or rule pertaining to firearms.

76-10-501. Definitions. (Adopted 2001)

As used in this part:

(1)(a) "Antique firearm" means any firearm:

(i)(A) with a matchlock, flintlock, percussion cap, or similar type of ignition system; and

(B) that was manufactured in or before 1898; or

(ii) that is a replica of any firearm described in this Subsection (1)(a), if the replica:

(A) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; or

(B) uses rimfire or centerfire fixed ammunition which is:

(I) no longer manufactured in the United States; and

(II) is not readily available in ordinary channels of commercial trade; or

(iii)(A) that is a muzzle loading rifle, shotgun, or pistol; and

(B) is designed to use black powder, or a black powder substitute, and cannot use fixed ammunition.

(b) "Antique firearm" does not include:

(i) any weapon that incorporates a firearm frame or receiver;

(ii) any firearm that is converted into a muzzle loading weapon; or

(iii) any muzzle loading weapon that can be readily converted to fire fixed ammunition by replacing the:

(A) barrel;

(B) bolt;

(C) breechblock; or

(D) any combination of Subsection (1)(b)(iii)(A), (B), or (C).

(2)(a) "Concealed dangerous weapon" means a dangerous weapon that is covered, hidden, or secreted in a manner that the public would not be aware of its presence and is readily accessible for immediate use.

(b) A dangerous weapon shall not be considered a concealed dangerous weapon if it is a firearm which is unloaded and is securely encased.

(3) "Criminal history background check" means a criminal background check conducted by a licensed firearms dealer on every purchaser of a handgun through the division or the local law enforcement agency where the firearms dealer conducts business.

(4) "Curio or relic firearm" means any firearm that:

(a) is of special interest to a collector because of a quality that is not associated with firearms intended for:

(i) sporting use;

(ii) use as an offensive weapon; or

(iii) use as a defensive weapon;

(b)(i) was manufactured at least 50 years prior to the current date; and

(ii) is not a replica of a firearm described in Subsection (4)(b)(i);

(c) is certified by the curator of a municipal, state, or federal museum that exhibits firearms to be a curio or relic of museum interest;

(d) derives a substantial part of its monetary value:

(i) from the fact that the firearm is:

(A) novel;

(B) rare; or

(C) bizarre; or

(ii) because of the firearm's association with an historical:

(A) figure;

(B) period; or

(C) event; and

(e) has been designated as a curio or relic firearm by the director of the United States Treasury Department Bureau of Alcohol, Tobacco, and Firearms under 27 C.F.R. Sec. 178.11.

(5)(a) "Dangerous weapon" means any item that in the manner of its use or intended use is capable of causing death or serious bodily injury. The following factors shall be used in determining whether a knife, or any other item, object, or thing not commonly known as a dangerous weapon is a dangerous weapon:

(i) the character of the instrument, object, or thing;

(ii) the character of the wound produced, if any;

(iii) the manner in which the instrument, object, or thing was used; and

(iv) the other lawful purposes for which the instrument, object, or thing may be used.

(b) "Dangerous weapon" does not include any explosive, chemical, or incendiary device as defined by Section 76-10-306.

(6) "Dealer" means every person who is licensed under crimes and criminal procedure, 18 U.S.C. 923 and engaged in the business of selling, leasing, or otherwise transferring a handgun, whether the person is a retail or wholesale dealer, pawnbroker, or otherwise.

(7) "Division" means the Criminal Investigations and Technical Services Division of the Department of Public Safety, created in Section 53-10-103.

(8) "Enter" means intrusion of the entire body.

(9)(a) "Firearm" means a pistol, revolver, shotgun, sawed-off shotgun, rifle or sawed-off rifle, or any device that could be used as a dangerous weapon from which is expelled a projectile by action of an explosive.

(b) As used in Sections 76-10-526 and 76-10-527, "firearm" does not include an antique firearm.

(10) "Firearms transaction record form" means a form created by the division to be completed by a person purchasing, selling, or transferring a handgun from a dealer in the state.

(11) "Fully automatic weapon" means any firearm which fires, is designed to fire, or can be readily restored to fire, automatically more than one shot without manual reloading by a single function of the trigger.

(12)(a) "Handgun" means a pistol, revolver, or other firearm of any description, loaded or unloaded, from which any shot, bullet, or other missile can be discharged, the length of which, not including any revolving, detachable, or magazine breech, does not exceed 12 inches.

(b) As used in Sections 76-10-520, 76-10-521, and 76-10-522, "handgun" and "pistol or revolver" do not include an antique firearm.

(13) "House of worship" means a church, temple, synagogue, mosque, or other building set apart primarily for the purpose of worship in which religious services are held and the main body of which is kept for that use and not put to any other use inconsistent with its primary purpose.

(14) "Prohibited area" means any place where it is unlawful to discharge a firearm.



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(15) "Readily accessible for immediate use" means that a firearm or other dangerous weapon is carried on the person or within such close proximity and in such a manner that it can be retrieved and used as readily as if carried on the person.

(16) "Residence" means an improvement to real property used or occupied as a primary or secondary residence.

(17) "Sawed-off shotgun" or "sawed-off rifle" means a shotgun having a barrel or barrels of fewer than 18 inches in length, or in the case of a rifle, having a barrel or barrels of fewer than 16 inches in length, or any dangerous weapon made from a rifle or shotgun by alteration, modification, or otherwise, if the weapon as modified has an overall length of fewer than 26 inches.

(18) "Securely encased" means not readily accessible for immediate use, such as held in a gun rack, or in a closed case or container, whether or not locked, or in a trunk or other storage area of a motor vehicle, not including a glove box or console box.

(19) "State entity" means each department, commission, board, council, agency, institution, officer, corporation, fund, division, office, committee, authority, laboratory, library, unit, bureau, panel, or other administrative unit of the state.

(20) "Violent felony" means the same as defined in Section 76-3-203.5.

76-10-502. When weapon deemed loaded. (Adopted 1990)

(1) For the purpose of this chapter, any pistol, revolver, shotgun, rifle, or other weapon described in this part shall be deemed to be loaded when there is an unexpended cartridge, shell, or projectile in the firing position.

(2) Pistols and revolvers shall also be deemed to be loaded when an unexpended cartridge, shell, or projectile is in a position whereby the manual operation of any mechanism once would cause the unexpended cartridge, shell, or projectile to be fired.

(3) A muzzle loading firearm shall be deemed to be loaded when it is capped or primed and has a powder charge and ball or shot in the barrel or cylinders.

76-10-503. Restrictions on possession, purchase, transfer, and ownership of dangerous weapons by certain persons. (Adopted 2003)

(1) For purposes of this section:

(a) A Category I restricted person is a person who:

(i) has been convicted of any violent felony as defined in Section 76-3-203.5;

(ii) is on probation or parole for any felony;

(iii) is on parole from a secure facility as defined in Section 62A-7-101; or

(iv) within the last ten years has been adjudicated delinquent for an offense which if committed by an adult would have been a violent felony as defined in Section 76-3-203.5.

(b) A Category II restricted person is a person who:

(i) has been convicted of or is under indictment for any felony;

(ii) within the last seven years has been adjudicated delinquent for an offense which if committed by an adult would have been a felony;

(iii) is an unlawful user of a controlled substance as defined in Section 58-37-2;

(iv) is in possession of a dangerous weapon and is knowingly and intentionally in unlawful possession of a Schedule I or II controlled substance as defined in Section 58-37-2;

(v) has been found not guilty by reason of insanity for a felony offense;

(vi) has been found mentally incompetent to stand trial for a felony offense;

(vii) has been adjudicated as mentally defective as provided in the Brady Handgun Violence Prevention Act, Pub. L. No. 103-159, 107 Stat. 1536 (1993), or has been committed to a mental institution;

(viii) is an alien who is illegally or unlawfully in the United States;

(ix) has been dishonorably discharged from the armed forces; or

(x) has renounced his citizenship after having been a citizen of the United States.

(2) A Category I restricted person who intentionally or knowingly agrees, consents, offers, or arranges to purchase, transfer, possess, use, or have under his custody or control, or who intentionally or knowingly purchases, transfers, possesses, uses, or has under his custody or control:

(a) any firearm is guilty of a second degree felony; or

(b) any dangerous weapon other than a firearm is guilty of a third degree felony.

(3) A Category II restricted person who purchases, transfers, possesses, uses, or has under his custody or control:

(a) any firearm is guilty of a third degree felony; or

(b) any dangerous weapon other than a firearm is guilty of a class A misdemeanor.

(4) A person may be subject to the restrictions of both categories at the same time.

(5) If a higher penalty than is prescribed in this section is provided in another section for one who purchases, transfers, possesses, uses, or has under this custody or control any dangerous weapon, the penalties of that section control.

(6) It is an affirmative defense to a charge based on the definition in Subsection (1)(b)(iv) that the person was:

(a) in possession of a controlled substance pursuant to a lawful order of a practitioner for use of a member of the person's household or for administration to an animal owned by the person or a member of the person's household; or

(b) otherwise authorized by law to possess the substance.

76-10-504. Carrying concealed dangerous weapon -- Penalties. (Adopted 2009)

(1) Except as provided in Section 76-10-503 and in Subsections (2), (3), and (4), a person who carries a concealed dangerous weapon, as defined in Section 76-10-501, including an unloaded firearm on his or her person or one that is readily accessible for immediate use which is not securely encased, as defined in this part, in or on a place other than the person's residence, property, a vehicle in the person's lawful possession, or a vehicle, with the consent of the individual who is lawfully in possession of the vehicle, or business under the person's control is guilty of a class B misdemeanor.

(2) A person who carries a concealed dangerous weapon which is a loaded firearm in violation of Subsection (1) is guilty of a class A misdemeanor.

(3) A person who carries concealed a sawed-off shotgun or a sawed-off rifle is guilty of a second degree felony.

(4) If the concealed firearm is used in the commission of a violent felony as defined in Section 76-3-203.5, and the person is a party to the offense, the person is guilty of a second degree felony.

(5) Nothing in Subsection (1) or (2) shall prohibit a person engaged in the lawful taking of protected or unprotected wildlife as defined in Title 23, Wildlife Resources Code of Utah, from carrying a concealed weapon or a concealed firearm with a barrel length of four inches or greater as long as the taking of wildlife does not occur:

(a) within the limits of a municipality in violation of that municipality's ordinances; or

(b) upon the highways of the state as defined in Section 41-6a-102.

76-10-505. Carrying loaded firearm in vehicle or on street. (Adopted 2009)

(1) Unless otherwise authorized by law, a person may not carry a loaded firearm:

(a) in or on a vehicle, unless:

(i) the vehicle is in the person's lawful possession; or

(ii) the person is carrying the loaded firearm in a vehicle with the consent of the person lawfully in possession of the vehicle; (*Editor's note: Federal law prohibits firearms in school zones. I don't see how this state law gets around US CFR Title 18, Part I, Chapter 44, Sec. 922(q) for persons who do not have a Utah Concealed Firearm Permit.*)

(b) on a public street; or

(c) in a posted prohibited area.

(2) Subsection (1)(a) does not apply to a minor under 18 years of age, since a minor under 18 years of age may not carry a loaded firearm in or on a vehicle.

(3) Notwithstanding Subsection (1)(a)(i) and (ii), a person may not possess a loaded rifle, shotgun, or muzzle-loading rifle in a vehicle.

(4) A violation of this section is a class B misdemeanor.

76-10-505.5. Possession of a dangerous weapon, firearm, or sawed-off shotgun on or about school premises -- Penalties. (Adopted 2003)

(1) A person may not possess any dangerous weapon, firearm, or sawed-off shotgun, as those terms are defined in Section 76-10-501, at a place that the person knows, or has reasonable cause to believe, is on or about



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school premises as defined in Subsection 76-3-203.2(1).

(2) (a) Possession of a dangerous weapon on or about school premises is a class B misdemeanor.

(b) Possession of a firearm or sawed-off shotgun on or about school premises is a class A misdemeanor.

(3) This section does not apply if:

(a) the person is authorized to possess a firearm as provided under Section 53-5-704, 53-5-705, 76-10-511, or 76-10-523, or as otherwise authorized by law;

(b) the possession is approved by the responsible school administrator;

(c) the item is present or to be used in connection with a lawful, approved activity and is in the possession or under the control of the person responsible for its possession or use; or

(d) the possession is:

(i) at the person's place of residence or on the person's property;

(ii) in any vehicle lawfully under the person's control, other than a vehicle

owned by the school or used by the school to transport students; or

(iii) at the person's place of business which is not located in the areas described in Subsection 76-3-203.2(1)(a)(i), (ii), or (iv).

(4) This section does not prohibit prosecution of a more serious weapons offense that may occur on or about school premises.

76-10-506. Threatening with or using dangerous weapon in fight or quarrel. (Adopted 1992)

Every person, except those persons described in Section 76-10-503, who, not in necessary self defense in the presence of two or more persons, draws or exhibits any dangerous weapon in an angry and threatening manner or unlawfully uses the same in any fight or quarrel is guilty of a class A misdemeanor.

76-10-507. Possession of deadly weapon with intent to assault. (Adopted 1973)

Every person having upon his person any dangerous weapon with intent to unlawfully assault another is guilty of a class A misdemeanor.

76-10-508. Discharge of firearm from a vehicle, near highway, or in direction of any person, building, or vehicle -- Penalties. (Adopted 2000)

(1)(a) A person may not discharge any kind of dangerous weapon or firearm:

(i) from an automobile or other vehicle;

(ii) from, upon, or across any highway;

(iii) at any road signs placed upon any highways of the state;

(iv) at any communications equipment or property of public utilities including facilities, lines, poles, or devices of transmission or distribution;

(v) at railroad equipment or facilities including any sign or signal;

(vi) within Utah State Park buildings, designated camp or picnic sites,

overlooks, golf courses, boat ramps, and developed beaches; or

(vii) without written permission to discharge the dangerous weapon from the owner or person in charge of the property within 600 feet of:

(A) a house, dwelling, or any other building; or

(B) any structure in which a domestic animal is kept or fed, including a barn, poultry yard, corral, feeding pen, or stockyard.

(b) It shall be a defense to any charge for violating this section that the person being accused had actual permission of the owner or person in charge of the property at the time in question.

(2) A violation of any provision of this section is a class B misdemeanor unless the actor discharges a firearm under any of the following circumstances not amounting to criminal homicide or attempted criminal homicide, in which case it is a third degree felony and the convicted person shall be sentenced to an enhanced minimum term of three years in prison:

(a) the actor discharges a firearm in the direction of any person or persons, knowing or having reason to believe that any person may be endangered;

(b) the actor, with intent to intimidate or harass another or with intent to damage a habitable structure as defined in Subsection 76-6-101(2), discharges a firearm in the direction of any building; or

(c) the actor, with intent to intimidate or harass another, discharges a firearm in the direction of any vehicle.

(3) This section does not apply to a person:

(a) who discharges any kind of firearm when that person is in lawful defense of self or others; or

(b) who is performing official duties as provided in Sections 23-20-1.5 and 76-10-523 and as otherwise provided by law.

76-10-509. Possession of dangerous weapon by minor. (Adopted 1993)

(1) A minor under 18 years of age may not possess a dangerous weapon unless he:

(a) has the permission of his parent or guardian to have the weapon; or

(b) is accompanied by a parent or guardian while he has the weapon in his possession.

(2) Any minor under 14 years of age in possession of a dangerous weapon shall be accompanied by a responsible adult.

(3) Any person who violates this section is guilty of:

(a) a class B misdemeanor upon the first offense; and

(b) a class A misdemeanor for each subsequent offense.

76-10-509.4. Prohibition of possession of certain weapons by minors. (Adopted 1995)

(1) A minor under 18 years of age may not possess a handgun.

(2) Except as provided by federal law, a minor under 18 years of age may not possess the following:

(a) a sawed-off rifle or sawed-off shotgun; or

(b) a fully automatic weapon.

(3) Any person who violates Subsection (1) is guilty of:

(a) a class B misdemeanor upon the first offense; and

(b) a class A misdemeanor for each subsequent offense.

(4) Any person who violates Subsection (2) is guilty of a third degree felony.

76-10-509.5. Penalties for providing certain weapons to a minor. (Adopted 1994)

(1) Any person who provides a handgun to a minor when the possession of the handgun by the minor is a violation of Section 76-10-509.4 is guilty of:

(a) a class B misdemeanor upon the first offense; and

(b) a class A misdemeanor for each subsequent offense.

(2) Any person who transfers in violation of applicable state or federal law a sawed-off rifle, sawed-off shotgun, or fully automatic weapon to a minor is guilty of a third degree felony.

76-10-509.6. Parent or guardian providing firearm to violent minor. (Adopted 2000)

(1) A parent or guardian may not intentionally or knowingly provide a firearm to, or permit the possession of a firearm by, any minor who has been convicted of a crime of violence or any minor who has been adjudicated in juvenile court for an offense which would constitute a crime of violence if the minor were an adult.

(2) Any person who violates this section is guilty of:

(a) a class A misdemeanor upon the first offense; and

(b) a third degree felony for each subsequent offense.

76-10-509.7. Parent or guardian knowing of minor's possession of dangerous weapon. (Adopted 1993)

Any parent or guardian of a minor who knows that the minor is in possession of a dangerous weapon in violation of Section 76-10-509 or a firearm in violation of Section 76-10-509.4 and fails to make reasonable efforts to remove the firearm from the minor's possession is guilty of a class B misdemeanor.

76-10-509.9. Sales of firearms to juveniles. (Adopted 1993)

(1) A person may not sell any firearm to a minor under 18 years of age unless the minor is accompanied by a parent or guardian.

(2) Any person who violates this section is guilty of a third degree felony.

76-10-511. Possession of loaded firearm at residence or on real property authorized. (Adopted 2009)

Except for persons described in Section 76-10-503 and 18 U.S.C. Sec. 922(g) and as otherwise prescribed in this part, a person may have a loaded firearm:



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(1) at the person's place of residence, including any temporary residence or camp; or
(2) on the person's real property.

76-10-512. Target concessions, shooting ranges, competitions, and hunting excepted from prohibitions. (Adopted 2000)

The provisions of Section 76-10-509 and Subsection 76-10-509.4(1) regarding possession of handguns by minors shall not apply to any of the following:

- (1) Patrons firing at lawfully operated target concessions at amusement parks, piers, and similar locations provided that the firearms to be used are firmly chained or affixed to the counters.
- (2) Any person in attendance at a hunter's safety course or a firearms safety course.
- (3) Any person engaging in practice or any other lawful use of a firearm at an established range or any other area where the discharge of a firearm is not prohibited by state or local law.
- (4) Any person engaging in an organized competition involving the use of a firearm, or participating in or practicing for such competition.
- (5) Any minor under 18 years of age who is on real property with the permission of the owner, licensee, or lessee of the property and who has the permission of a parent or legal guardian or the owner, licensee, or lessee to possess a firearm not otherwise in violation of law.
- (6) Any resident or nonresident hunters with a valid hunting license or other persons who are lawfully engaged in hunting.
- (7) Any person traveling to or from any activity described in Subsection (2), (3), (4), (5), or (6) with an unloaded firearm in his possession.

76-10-520. Number or mark assigned to pistol or revolver by Department of Public Safety. (Adopted 1993)

The Department of Public Safety upon request may assign a distinguishing number or mark of identification to any pistol or revolver whenever it is without a manufacturer's number, or other mark of identification or whenever the manufacturer's number or other mark of identification or the distinguishing number or mark assigned by the Department of Public Safety has been destroyed or obliterated.

76-10-521. Unlawful marking of pistol or revolver. (Adopted 1993)

- (1) Any person who places or stamps on any pistol or revolver any number except one assigned to it by the Department of Public Safety is guilty of a class A misdemeanor.
- (2) This section does not prohibit restoration by the owner of the name of the maker, model, or of the original manufacturer's number or other mark of identification when the restoration is authorized by the Department of Public Safety, nor prevent any manufacturer from placing in the ordinary course of business the name of the make, model, manufacturer's number, or other mark of identification upon a new pistol or revolver.

76-10-522. Alteration of number or mark on pistol or revolver. (Adopted 1993)

Any person who changes, alters, removes, or obliterates the name of the maker, the model, manufacturer's number, or other mark of identification, including any distinguishing number or mark assigned by the Department of Public Safety, on any pistol or revolver, without first having secured written permission from the Department of Public Safety to make the change, alteration, or removal, is guilty of a class A misdemeanor.

76-10-523. Persons exempt from weapons laws. (Adopted 2003)

- (1) This part and Title 53, Chapter 5, Part 7, Concealed Weapon Act, do not apply to any of the following:
 - (a) a United States marshal;
 - (b) a federal official required to carry a firearm;
 - (c) a peace officer of this or any other jurisdiction;
 - (d) a law enforcement official as defined and qualified under Section 53-5-711;
 - (e) a judge as defined and qualified under Section 53-5-711;
 - (f) a common carrier while engaged in the regular and ordinary transport of firearms as merchandise; or
 - (g) a nonresident traveling in or through the state, provided that any firearm is:
 - (i) unloaded; and

(ii) securely encased as defined in Section 76-10-501.

(2) The provisions of Subsections 76-10-504(1)(a), (1)(b), and Section 76-10-505 do not apply to any person to whom a permit to carry a concealed firearm has been issued:

- (a) pursuant to Section 53-5-704; or
- (b) by another state or county.

76-10-523.5. Compliance with rules for secure facilities. (Adopted 2002)

Any person, including a person licensed to carry a concealed firearm under Title 53, Chapter 5, Part 7, Concealed Weapons, shall comply with any rule established for secure facilities pursuant to Sections 53B-3-103, 76-8-311.1, 76-8-311.3, and 78-7-6 and shall be subject to any penalty provided in those sections.

76-10-526. Criminal background check prior to purchase of a firearm -- Fee -- Exemption for concealed firearm permit holders. (Adopted 2004)

- (1) For purposes of this section, "valid permit to carry a concealed firearm" does not include a temporary permit issued pursuant to Section 53-5-705.
- (2) To establish personal identification and residence in this state for purposes of this part, a dealer shall require an individual receiving a firearm to present one photo identification on a form issued by a governmental agency of the state.
- (3) A criminal history background check is required for the sale of a firearm by a licensed firearm dealer in the state.
- (4) (a) An individual, except a dealer, purchasing a firearm from a dealer shall consent in writing to a criminal background check, on a form provided by the division.
(b) The form shall contain the following information:
 - (i) the dealer identification number;
 - (ii) the name and address of the individual receiving the firearm;
 - (iii) the date of birth, height, weight, eye color, and hair color of the individual receiving the firearm; and
 - (iv) the Social Security number or any other identification number of the individual receiving the firearm.
- (5) (a) The dealer shall send the form required by Subsection (4) to the division immediately upon its completion.
(b) No dealer shall sell or transfer any firearm to an individual until the dealer has provided the division with the information in Subsection (4) and has received approval from the division under Subsection (7).
- (6) The dealer shall make a request for criminal history background information by telephone or other electronic means to the division and shall receive approval or denial of the inquiry by telephone or other electronic means.
- (7) When the dealer calls for or requests a criminal history background check, the division shall:
 - (a) review the criminal history files, including juvenile court records, to determine if the individual is prohibited from purchasing, possessing, or transferring a firearm by state or federal law;
 - (b) inform the dealer that:
 - (i) the records indicate the individual is so prohibited; or
 - (ii) the individual is approved for purchasing, possessing, or transferring a firearm;
 - (c) provide the dealer with a unique transaction number for that inquiry; and
 - (d) provide a response to the requesting dealer during the call for a criminal background, or by return call, or other electronic means, without delay, except in case of electronic failure or other circumstances beyond the control of the division, the division shall advise the dealer of the reason for the delay and give the dealer an estimate of the length of the delay.
- (8) (a) The division shall not maintain any records of the criminal history background check longer than 20 days from the date of the dealer's request if the division determines that the individual receiving the gun is not prohibited from purchasing, possessing, or transferring the firearm under state or federal law.
(b) However, the division shall maintain a log of requests containing the dealer's federal firearms number, the transaction number, and the transaction date for a period of 12 months.
- (9) If the criminal history background check discloses information indicating that the individual attempting to purchase the firearm is prohibited from purchasing, possessing, or transferring a firearm, the



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division shall inform the law enforcement agency in the jurisdiction where the person resides.

(10) If an individual is denied the right to purchase a firearm under this section, the individual may review his criminal history information and may challenge or amend the information as provided in Section 53-10-108.

(11) The division shall make rules as provided in Title 63, Chapter 46a, Utah Administrative Rulemaking Act, to ensure the identity, confidentiality, and security of all records provided by the division pursuant to this part are in conformance with the requirements of the Brady Handgun Violence Prevention Act, Pub. L. No. 103-159, 107 Stat. 1536 (1993).

(12) (a) (i) All dealers shall collect a criminal history background check fee which is \$7.50.

(ii) This fee remains in effect until changed by the division through the process under Section 63-38-3.2.

(b) (i) The dealer shall forward at one time all fees collected for criminal history background checks performed during the month to the division by the last day of the month following the sale of a firearm.

(ii) The division shall deposit the fees in the General Fund as dedicated credits to cover the cost of administering and conducting the criminal history background check program.

(13) An individual with a concealed firearm permit issued pursuant to Title 53, Chapter 5, Part 7, Concealed Weapon Act, shall be exempt from the background check and corresponding fee required in this section for the purchase of a firearm if:

(a) the individual presents his concealed firearm permit to the dealer prior to purchase of the firearm; and

(b) the dealer verifies with the division that the individual's concealed firearm permit is valid.

76-10-527. Penalties. (Adopted 2009)

(1) A dealer is guilty of a class A misdemeanor who willfully and intentionally:

(a) requests, obtains, or seeks to obtain criminal history background information under false pretenses;

(b) disseminates criminal history background information; or

(c) violates Section 76-10-526.

(2) A person who purchases or transfers a firearm is guilty of a felony of the third degree if the person willfully and intentionally makes a false statement of the information required for a criminal background check in Section 76-10-526.

(3) Except as otherwise provided in Subsection (1), a dealer is guilty of a felony of the third degree if the dealer willfully and intentionally sells or transfers a firearm in violation of this part.

(4) A person is guilty of a felony of the third degree if the person purchases a firearm with the intent to:

(a) resell or otherwise provide a firearm to a person who is ineligible to purchase or receive a firearm from a dealer; or

(b) transport a firearm out of this state to be resold to an ineligible person.

76-10-528. Carrying a dangerous weapon while under influence of alcohol or drugs unlawful. (Adopted 2004)

(1) Any person who carries a dangerous weapon while under the influence of alcohol or a controlled substance as defined in Section 58-37-2 is guilty of a class B misdemeanor. Under the influence means the same level of influence or blood or breath alcohol concentration as provided in Subsections 41-6-44(2)(a)(i) through (iii).

(2) It is not a defense to prosecution under this section that the person:

(a) is licensed in the pursuit of wildlife of any kind; or

(b) has a valid permit to carry a concealed firearm.

76-10-529. Possession of dangerous weapons, firearms, or explosives in airport secure areas prohibited -- Penalty. (Adopted 2004)

(1) As used in this section:

(a) "Airport authority" has the same meaning as defined in Section 72-10-102.

(b) "Dangerous weapon" is the same as defined in Section 76-10-501.

(c) "Explosive" is the same as defined for "explosive, chemical, or incendiary device" in Section 76-10-306.

(d) "Firearm" is the same as defined in Section 76-10-501.

(2) (a) Within a secure area of an airport established pursuant to this section, a person, including a person licensed to carry a concealed

firearm under Title 53, Chapter 5, Part 7, Concealed Weapon Act, is guilty of:

(i) a class A misdemeanor if the person knowingly or intentionally possesses any dangerous weapon or firearm;

(ii) an infraction if the person recklessly or with criminal negligence possesses any dangerous weapon or firearm; or

(iii) a violation of Section 76-10-306 if the person transports, possesses, distributes, or sells any explosive, chemical, or incendiary device.

(b) Subsection (2)(a) does not apply to:

(i) persons exempted under Section 76-10-523; and

(ii) members of the state or federal military forces while engaged in the performance of their official duties.

(3) An airport authority, county, or municipality regulating the airport may:

(a) establish any secure area located beyond the main area where the public generally buys tickets, checks and retrieves luggage; and

(b) use reasonable means, including mechanical, electronic, x-ray, or any other device, to detect dangerous weapons, firearms, or explosives concealed in baggage or upon the person of any individual attempting to enter the secure area.

(4) At least one notice shall be prominently displayed at each entrance to a secure area in which a dangerous weapon, firearm, or explosive is restricted.

(5) Upon the discovery of any dangerous weapon, firearm, or explosive, the airport authority, county, or municipality, the employees, or other personnel administering the secure area may:

(a) require the individual to deliver the item to the air freight office or airline ticket counter;

(b) require the individual to exit the secure area; or

(c) obtain possession or retain custody of the item until it is transferred to law enforcement officers.

76-10-530. Trespass with a firearm in a house of worship or private residence -- Notice -- Penalty. (Adopted 2003)

(1) A person, including a person licensed to carry a concealed firearm pursuant to Title 53, Chapter 5, Part 7, Concealed Weapon Act, after notice has been given as provided in Subsection (2) that firearms are prohibited, may not knowingly and intentionally:

(a) transport a firearm into:

(i) a house of worship; or

(ii) a private residence; or

(b) while in possession of a firearm, enter or remain in:

(i) a house of worship; or

(ii) a private residence.

(2) Notice that firearms are prohibited may be given by:

(a) personal communication to the actor by:

(i) the church or organization operating the house of worship;

(ii) the owner, lessee, or person with lawful right of possession of the private residence; or

(iii) a person with authority to act for the person or entity in Subsections (2)(a)(i) and (ii);

(b) posting of signs reasonably likely to come to the attention of persons entering the house of worship or private residence;

(c) announcement, by a person with authority to act for the church or organization operating the house of worship, in a regular congregational meeting in the house of worship;

(d) publication in a bulletin, newsletter, worship program, or similar document generally circulated or available to the members of the congregation regularly meeting in the house of worship; or

(e) publication in a newspaper of general circulation in the county in which the house of worship is located or the church or organization operating the house of worship has its principal office in this state.

(3) A church or organization operating a house of worship and giving notice that firearms are prohibited may:

(a) revoke the notice, with or without supersedure, by giving further notice in any manner provided in Subsection (2); and

(b) provide or allow exceptions to the prohibition as the church or organization considers advisable.

(4) (a) (i) Within 30 days of giving or revoking any notice pursuant to Subsection (2)(c), (d), or (e), a church or organization operating a house of worship shall notify the division on a form and in a manner as the division shall prescribe.



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(ii) The division shall post on its website a list of the churches and organizations operating houses of worship who have given notice under Subsection (4)(a)(i).

(b) Any notice given pursuant to Subsection (2)(c), (d), or (e) shall remain in effect until revoked or for a period of one year from the date the notice was originally given, whichever occurs first.

(5) Nothing in this section permits an owner who has granted the lawful right of possession to a renter or lessee to restrict the renter or lessee from lawfully possessing a firearm in the residence.

(6) A violation of this section is an infraction.

76-10-531. Restricting dangerous weapons in a private residence -- Defense -- Penalty. (Adopted 1999)

(1) A person, including a person licensed to carry a concealed firearm pursuant to Title 53, Chapter 5, Part 7, Concealed Weapon Act, may not knowingly or intentionally:

(a) transport a dangerous weapon into a private residence; or
(b) enter or remain in a private residence while in possession of a dangerous weapon.

(2) It is a defense to prosecution under this section that the person had prior permission to possess the dangerous weapon in the private residence of:

(a) the owner, lessee, or person with lawful right of possession of the private residence; or
(b) a person with apparent authority to act for the person in Subsection (2)(a).

(3) A violation of this section is a class C misdemeanor.

76-10-801. "Nuisance" defined -- Violation -- Classification of offense. (Adopted 1973)

(1) A nuisance is any item, thing, manner, condition whatsoever that is dangerous to human life or health or renders soil, air, water, or food impure or unwholesome.

(2) Any person, whether as owner, agent, or occupant who creates, aids in creating, or contributes to a nuisance, or who supports, continues, or retains a nuisance, is guilty of a class B misdemeanor.

76-10-1504. Bus hijacking -- Assault with intent to commit hijacking -- Use of a dangerous weapon or firearm -- Penalties. (Adopted 2007)

(1)(a) A person is guilty of bus hijacking if the person seizes or exercises control, by force or violence or threat of force or violence, of a bus within the state.

(b) Bus hijacking is a first degree felony.

(2)(a) A person is guilty of assault with the intent to commit bus hijacking if the person intimidates, threatens, or commits assault or battery toward a driver, attendant, guard, or any other person in control of a bus so as to interfere with the performance of duties by the person.

(b) Assault with the intent to commit bus hijacking is a second degree felony.

(3) A person who, in the commission of assault with intent to commit bus hijacking, uses a dangerous weapon, as defined in Section 76-1-601, is guilty of a first degree felony.

(4)(a) A person who boards a bus with a concealed dangerous weapon or firearm upon his person or effects is guilty of a third degree felony.

(b) The prohibition of Subsection (4)(a) does not apply to:

(i) individuals listed in Subsections 76-10-523(1)(a), (b), (c), (d), and (e);
(ii) a person licensed to carry a concealed weapon; or
(iii) persons in possession of weapons or firearms with the consent of the owner of the bus or the owner's agent, or the lessee or bailee of the bus.

76-10-1507. Exclusion of persons without bona fide business from terminal -- Firearms and dangerous materials -- Surveillance devices and seizure of offending materials -- Detention of violators -- Private security personnel. (Adopted 2007)

(1)(a) In order to provide for the safety, welfare and comfort of passengers, a bus company may refuse admission to terminals to a person not having bona fide business within the terminal.

(b) The refusal may not be inconsistent or contrary to state or federal laws or regulations, or to an ordinance of the political subdivision in which the terminal is located.

(c) An authorized bus company representative may require a person in a terminal to identify himself and state his business.

(d) Failure to comply with a request under Subsection (1)(c) or to state an acceptable business purpose is grounds for the representative to request that the person depart the terminal.

(e) A person who refuses to comply with a request made under Subsection (1)(d) is guilty of a class C misdemeanor.

(2)(a) A person who carries a concealed dangerous weapon, firearm, or any highly inflammable or hazardous materials or devices into a terminal or aboard a bus is guilty of a third degree felony.

(b) The prohibition of Subsection (2)(a) does not apply to individuals listed in Subsection 76-10-1504(4).

(c) The bus company may employ reasonable means, including mechanical, electronic or x-ray devices to detect the items concealed in baggage or upon the person of a passenger.

(d) Upon the discovery of an item referred to in Subsection (2)(a), the company may obtain possession and retain custody of the item until it is transferred to a peace officer.

(3)(a) An authorized bus company representative may detain within a terminal or bus any person violating the provisions of this section for a reasonable time until law enforcement authorities arrive.

(b) The detention does not constitute unlawful imprisonment and neither the bus company nor the representative is civilly or criminally liable upon grounds of unlawful imprisonment or assault, provided that only reasonable and necessary force is exercised against the detained person.

(4)(a) A bus company may employ or contract for private security personnel.

(b) The personnel may:

(i) detain within a terminal or bus a person violating this section for a reasonable time until law enforcement authorities arrive; and
(ii) use reasonable and necessary force in subduing or detaining the person.

77-7-1. "Arrest" defined -- Restraint allowed. (Adopted 1980)

An arrest is an actual restraint of the person arrested or submission to custody. The person shall not be subjected to any more restraint than is necessary for his arrest and detention.

77-7-3. By private persons. (Adopted 1980)

A private person may arrest another:

(1) For a public offense committed or attempted in his presence; or
(2) When a felony has been committed and he has reasonable cause to believe the person arrested has committed it.

78-7-6. Rules -- Right to make -- Limitation -- Security. (Adopted 2002)

(1) Every court of record may make rules, not inconsistent with law, for its own government and the government of its officers; but such rules must neither impose any tax or charge upon any legal proceeding nor give any allowance to any officer for service.

(2)(a) The judicial council may provide, through the rules of judicial administration, for security in or about a courthouse or courtroom, or establish a secure area as prescribed in Section 76-8-311.1.

(b)(i) If the council establishes a secure area under Subsection (2)(a), it shall provide a secure firearms storage area on site so that persons with lawfully carried firearms may store them while they are in the secure area.

(ii) The entity operating the facility with the secure area shall be responsible for the firearms while they are stored in the storage area referred to in Subsection (2)(b)(i).

(iii) The entity may not charge a fee to individuals for storage of their firearms under Subsection (2)(b)(i).

(3)(a) Unless authorized by the rules of judicial administration, any person who knowingly or intentionally possesses a firearm, ammunition, or dangerous weapon within a secure area established by the judicial council under this section is guilty of a third degree felony.

(b) Any person is guilty of violating Section 76-10-306 who transports, possesses, distributes, or sells an explosive, chemical, or incendiary device, as defined by Section 76-10-306, within a secure area, established by the Judicial Council under this section.

R65-7. Horse Racing.

R65-7-11 General Conduct. (Adopted 2000)



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6. Firearms. No person shall possess any firearm within the enclosure unless he is a fully qualified peace officer as defined in the laws of the State of Utah.

R430-100. Child Care Center.
R430-100-14 Safety. (Adopted 2000)

(5) There shall be no firearms or other weapons accessible to children. Firearms and other weapons shall be stored separately from ammunition and all shall be in a locked cabinet or area.

R501-12. Child Foster Care.
R501-12-8. Safety. (Adopted 2004)

E. Foster parents who have firearms or ammunition shall assure that they are inaccessible to children at all times. Firearms and ammunition that are stored together shall be kept securely locked in security vaults or locked cases, not in glass fronted display cases. Firearms that are stored in display cases shall be rendered inoperable with trigger locks, bolts removed or other disabling methods. Ammunition for those firearms shall be kept securely locked in a separate location. This does not restrict constitutional or statutory rights regarding concealed weapons permits, pursuant to UCA 53-5-701 et seq.

F. No firearms shall be allowed in foster homes that contract with DYC.

R539-6. Purchase of Service Provider Requirements.
R539-6-8. Code of Conduct. (Adopted 2004)

B. Procedures.

1.f. No firearms are allowed in residential or day training facilities. Specialized foster homes, Professional Parents, and Respite providers must follow the licensing standards for Foster Care in regard to storage of firearms. (R501-12-9)

R651-612-1. Weapons Prohibited. (State parks) (Adopted 1999)
Possession or use of firearms, including air and gas powered types, traps and all other devices capable of launching a projectile which could immobilize, injure, or kill any person or animal or damage property are prohibited in the park system unless:

- (1) The weapon or device is unloaded and cased or otherwise packed away to prevent its use in the park area.
- (2) The weapon or device is being used for the legal pursuit of wildlife, see R651-614, or in accordance with UCA 53-5-701 Concealed Weapons Act.
- (3) The weapon or device is being used by authorized enforcement officers in the performance of their official duties.

R657-5-11. Muzzleloaders.

- (1) A muzzleloader may be used during any big game hunt, except an archery hunt, provided the muzzleloader:
 - (a) can be loaded only from the muzzle;
 - (b) has open sights, peep sights, or a fixed non-magnifying 1x scope;
 - (c) has a single barrel;
 - (d) has a minimum barrel length of 18 inches;
 - (e) is capable of being fired only once without reloading;
 - (f) powder and bullet, or powder, sabot and bullet are not bonded together as one unit for loading;
 - (g) is loaded with black powder or black powder substitute, which must not contain nitrocellulose based smokeless powder.
- (2)(a) A lead or expanding bullet or projectile of at least 40 caliber must be used to hunt big game.
- (b) A 170 grain or heavier bullet, including sabots must be used for taking deer and pronghorn.
- (c) A 210 grain or heavier bullet must be used for taking elk, moose, bison, bighorn sheep, and Rocky Mountain goat, except sabot bullets used for taking these species must be a minimum of 240 grains.
- (3)(a) A person who has obtained a muzzleloader permit may not possess or be in control of any firearm other than a muzzleloading rifle or have a firearm other than a muzzleloading rifle in his camp or motor vehicle during a muzzleloader hunt.
- (b) The provisions of Subsection (a) do not apply to:
 - (i) a person licensed to hunt upland game or waterfowl provided the person complies with Rules R657-6 and R657-9 and the Upland Game Proclamation and Waterfowl Proclamation, respectively, and possessing

- only legal weapons to take upland game or waterfowl;
- (ii) a person licensed to hunt big game species during hunts that coincide with the muzzleloader hunt;
- (iii) livestock owners protecting their livestock; or
- (iv) a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7 of the Utah Code, provided the person is not utilizing the concealed firearm to hunt or take protected wildlife.

R657-5-12. Archery Equipment. (Adopted 2004)

- (1) Archery equipment may be used during any big game hunt, except a muzzleloader hunt, provided:
 - (a) the minimum bow pull is 40 pounds at the draw or the peak, whichever comes first; and
 - (b) arrowheads used have two or more sharp cutting edges that cannot pass through a 7/8 inch ring;
 - (c) expanding arrowheads cannot pass through a 7/8 inch ring when expanded; and
 - (d) arrows must be a minimum of 20 inches in length from the tip of the arrowhead to the tip of the nock, and must weigh at least 300 grains.
- (2) The following equipment or devices may not be used to take big game:
 - (a) a crossbow, except as provided in Rule R657-12;
 - (b) arrows with chemically treated or explosive arrowheads;
 - (c) a mechanical device for holding the bow at any increment of draw;
 - (d) a release aid that is not hand held or that supports the draw weight of the bow; or
 - (e) a bow with an attached electronic range finding device or a magnifying aiming device.
- (3) Arrows carried in or on a vehicle where a person is riding must be in an arrow quiver or a closed case.
- (4)(a) A person who has obtained an archery permit may not possess or be in control of a firearm or have a firearm in his camp or motor vehicle during an archery hunt.
- (b) The provisions of Subsection (a) do not apply to:
 - (i) a person licensed to hunt upland game or waterfowl provided the person complies with Rules R657-6 and R657-9 and the Upland Game Proclamation and Waterfowl Proclamation, respectively, and possessing only legal weapons to take upland game or waterfowl;
 - (ii) a person licensed to hunt big game species during hunts that coincide with the archery hunt;
 - (iii) livestock owners protecting their livestock; or
 - (iv) a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7 of the Utah Code, provided the person is not utilizing the concealed firearm to hunt or take protected wildlife.

R724-4. Concealed Firearm Permit Rule. (Adopted 2000)

R724-4-1 Purpose. (Adopted 2000)

The purpose of this rule is to set forth the process whereby the Division of Law Enforcement and Technical Services administers the Concealed Weapons Act in accordance with Title 53, Chapter 5, Part 7.

R724-4-2 Authority. (Adopted 2000)

This rule is authorized by Subsection 53-5-704 (12).

R724-4-3 Definitions. (Adopted 2000)

Terms used in this rule shall be defined as follows:

- A. "Affidavit" means a written statement made under oath before a notary public.
- B. "Approved firearms instructor" means a person approved by the Division who can certify that an applicant meets the general firearm familiarity requirement of Subsection 53-5-704 (7) and is an instructor who is certified pursuant to Sections R724-4-13 and 14.
- C. "Board" means the Concealed Weapons Review Board referred to in Section 53-5-703.
- D. "Concealed" means that which is covered, hidden, or secreted in a manner that the public would not be aware of its presence and is readily accessible for immediate use.
- E. "Crime of violence" means any crime defined as such in Subsection 76-10-501 (2)(b).
- F. "Division" means the Division of Law Enforcement and Technical Services of the Utah Department of Public Safety.



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G. "Domestic violence" means any of the crimes listed in Subsection 77-36-1 (2) when committed by one co-habitant against another.

H. "Equivalent experience with a firearm through participation in law enforcement" means experience showing that the applicant has within the last five years met the firearms requirement of his/her department as evidenced by verifiable documentation from his/her department.

I. "Equivalent experience with a firearm through participation in the military" means experience showing that the applicant has within the last five years successfully met the firearms requirements of his/her military organization as evidenced by verifiable documentation from his/her military organization, provided that such training meets the requirements of Subsection 53-5-704 (7)(a).

J. "Equivalent experience with a firearm through participation in an organized shooting competition" means experience showing that the applicant has within the last five years competed in an organized shooting competition as evidenced by verifiable documentation from the organization sanctioning or conducting the organized shooting competition, provided the organized shooting competition meets the requirements of Subsection 53-5-704 (7)(a).

K. "Felony" means any criminal conduct other than those crimes defined as misdemeanors or infractions by the statutes of this state. It also includes any criminal conduct that is punishable by more than one year in prison by a federal statute, or by the statute of some other state.

L. "Mitigating circumstances" means circumstances which reduce culpability for purposes of assessing good character.

M. "Moral turpitude" means a conviction for criminal conduct under the statutes of this state or any other jurisdiction involving any of the following offenses:

1. theft;
2. fraud;
3. tax evasion;
4. issuing bad checks;
5. robbery;
6. aggravated robbery;
7. bribery;
8. perjury;
9. extortion;
10. arson or aggravated arson;
11. criminal mischief;
12. falsifying government records;
13. forgery;
14. receiving stolen property;
15. firearms violations;
16. burglary or aggravated burglary;
17. vandalism;
18. kidnapping, aggravated kidnapping, or child kidnapping;
19. crimes involving unlawful sexual conduct as described in Title 76, Chapter 5, Part 4, Chapter 5a, Chapter 7, Part 1, and Chapter 10, Part 13; and
20. violations of the pornographic and harmful materials and performances act, as defined in Title 76, Chapter 10, Part 12.

N. "Offenses involving the use of alcohol" means any of the following offenses:

1. any violation of Sections 41-6-44 through 41-6-44.20 ;
2. violations of Title 32A, Chapter 12, Part 2 involving the illegal use or consumption of an alcoholic beverage; and
3. a violation of 76-10-528.

O. "Offenses involving the use of narcotics" means any offense involving the use, possession, manufacturing or distribution of any narcotic or drug as defined in Title 58, Chapter 37, 37a, 37b, 37c, 37d, and 37e or a violation of 76-10-528.

P. "Past pattern of behavior" means verifiable incidents, with or without an arrest or conviction, that would lead a reasonable person to believe that an individual has a violent nature and would be a danger to themselves or others.

R724-4-4 Application For a Concealed Firearm Permit. (Adopted 2000)

A. Application for a permit to carry a concealed firearm shall be made in writing to the Division on forms provided by the Division. An application package shall include:

1. a completed application form;

2. proof that the applicant is 21 years of age or older at the time application is made;

3. evidence of general familiarity with the types of firearms to be concealed, verified by a signed certificate from an approved firearms instructor;

4. a five-year employment history;

5. a five-year residential history;

6. two letters of character reference;

7. two recent color photographs of passport quality, measuring 2"x 2"; and

8. two completed fingerprint cards.

B. An applicant shall pay a non-refundable processing fee of \$59.00 at the time the application is filed. This fee consists of \$35.00 mandated by Section 53-5-707 and a \$24.00 Federal Bureau of Investigation fingerprint processing fee. Payment shall be in the form of cash, cashier's check, or money order. The Division is not responsible for cash lost in the mail.

C. An applicant may request an interview prior to submitting the application. The Division may require an interview subsequent to the submission of the application.

D. A background investigation shall be conducted on all applicants to determine if they are of good character as required by Section 53-5-704. The background investigation shall consist of:

1. verifying the accuracy of the application information;

2. checking the applicant's criminal history through local, state and national computer files which include:

- a. Utah computerized criminal history;
- b. national crime information center;
- c. Utah law enforcement information network;
- d. drivers license information;
- e. statewide warrants file;
- f. criminal justice juvenile files;
- g. criminal history expungement system; and
- h. national instant check system (when available).

3. The fingerprint cards will be sent to the FBI for a review of the applicant's criminal history record pursuant to Sections 53-5-704 and 706.

E. The Division will review all the above information and approve or deny the application.

1. Notice of approval may be given by telephone or in writing.

2. Notice of denial shall be given in writing and shall state the reasons for denial.

F. Renewal of a permit to carry a concealed firearm is required every two years.

1. The renewal form is available from the Division.

2. A renewal applicant shall pay a non-refundable fee of \$5.00 as required by Section 53-5-707. Payment shall be made in the form of cash, cashier's check or money order. the Division is not responsible for cash lost in the mail.

G. A peace officer who has honorably retired from full-time employment within five years of making application shall be exempt from the following requirements:

1. two letters of character reference; and
2. two sets of fingerprints.

R724-4-5 Temporary Concealed Firearm Permit. (Adopted 2000)

A. To be eligible to obtain a temporary permit to carry a concealed firearm, as provided for in Section 53-5-705 , an applicant must:

1. apply for a permit under Section 53-5-704 ;
2. apply for a temporary permit under Section 53-5-705 ;
3. demonstrate good character; and
4. prove to the satisfaction of the Division extenuating circumstances justifying the need for a temporary permit.

B. Provisions regarding denial, suspension or revocation of a temporary permit are set forth in Subsection R724-4-18(F).

R724-4-6 Out-of-State Concealed Firearm Permit Applicants. (Adopted 2000)

Out-of-state applicants for a concealed firearm permit will be subject to the same application process as in-state applicants.

R724-4-7 Out of State Concealed Firearm Permits. (Adopted 2000)



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A. In accordance with Subsection 76-10-523 (2)(b) the Division will conduct research annually to determine which states have requirements for the issuance of a concealed firearm permit that meet or exceed the requirements for issuance of a concealed firearm permit in this state.

B. A list of the out of state permits that will be honored in this state will be maintained by the Division. The list will be available to the public upon request.

R724-4-8 Application for a Certificate of Qualification. (Adopted 2000)

A. Application for a certificate of qualification shall be made in writing to the Division on forms provided by the Division and will be subject to the same application requirements as concealed firearm permit applicants set forth in Section R724-4-4. The applicant must also provide proof to the satisfaction of the Division that they are a law enforcement official or judge as defined in Section 53-5-711.

B. A certificate of qualification will act as identification to verify that the holder is exempt from weapons laws in accordance with Section 76-10-523.

R724-4-9 Additional Training Requirements for Obtaining a Certificate of Qualification. (Adopted 2000)

Training requirements for obtaining a certificate of qualification, as set forth in Subsection 53-5-711 (2)(b), will be established by the commissioner. A copy of the training requirements will be available in the Division office upon request. The commissioner may make changes or additions to the training requirements as needed. It is the responsibility of the applicant to acquire the training through their agency.

R724-4-10 Annual Requalification Requirement for Obtaining a Certificate of Qualification. (Adopted 2000)

Proof of annual requalification must be submitted to the Division, in writing, no earlier than November 1 and no later than November 30 of each year. If an applicant has received an initial certificate of qualification after August 1, requalification will not be required until the following year. Failure to provide proof of annual requalification by November 30 of each year will result in revocation of the certificate of qualification.

R724-4-11 Duty of Certificate of Qualification Holder to Notify the Division Upon Termination of Status as a Law Enforcement Official or Judge. (Adopted 2000)

A certificate of qualification holder who resigns or is terminated from their position must notify the Division within six months after leaving their position. If the holder obtains other employment as a Law Enforcement Official or Judge within the six month period, the Division will allow the certificate of qualification to remain current provided the holder has not committed an offense that is grounds for revocation under Title 53 Chapter 5 Part 7. If a holder of a certificate of qualification has not obtained another position as a Law Enforcement Official or Judge, the certificate of qualification will be revoked and a concealed firearm permit will be issued provided the holder has not committed an offense that is grounds for revocation under Title 53 Chapter 5 Part 7.

R724-4-12 Denial, Suspension, or Revocation of a Concealed Firearm Permit or Certificate of Qualification. (Adopted 2000)

A concealed firearm permit or certificate of qualification may be denied, suspended or revoked for any of the reasons set forth in Subsections 53-5-704 (3)(a) and (c), or for failure to maintain good character as defined in Subsection 53-5-704 (2).

R724-4-13 Requirement to Notify Peace Officer When Stopped. (Adopted 2000)

When a concealed firearm permit holder or certificate of qualification holder is stopped for questioning by a peace officer based on reasonable suspicion in accordance with Section 77-7-15 and the holder has a concealed firearm in his/her possession, the holder shall immediately advise the peace officer that he/she is a lawful holder and has a concealed firearm in his/her possession.

R724-4-14 Concealed Firearm Permit Instructors. (Adopted 2000)

A. The Division will certify concealed firearm permit instructors as provided for in Subsection 53-5-704 (7)(b)(ii).

B. Application to become a concealed firearm permit instructor shall be made in writing to the Division on forms provided by the Division. The application shall include:

1. a completed application form;
2. evidence that the applicant has completed a firearms instructor training program sponsored by the National Rifle Association, or Peace Officer Standards and Training, or a program equivalent thereto; and
3. a notarized release of information form.

C. A concealed firearm permit instructor applicant shall pay a non-refundable fee of \$5.00. Payment shall be made in the form of cash, cashier's check or money order. The Division is not responsible for cash lost in the mail.

D. The applicant must submit with the application a copy of a course of instruction that meets the course content requirements established by the Division as required by Subsection 53-5-704 (7)(a).

E. The applicant must meet the good character requirements set forth in Subsections 53-5-704 (2)(a) through (g).

R724-4-15 Certificate of Qualification Instructors. (Adopted 2000)

A. The Division will certify certificate of qualification instructors as provided for in Subsection 53-5-711 (4)(c). An applicant for a certificate of qualification instructor shall:

1. be certified as a firearms instructor by Peace Officer Standards and Training;
2. make a written request to the Division for approval;
3. meet the good character requirements set forth in Subsections 53-5-704 (2)(a) through(g); and
4. demonstrate to the satisfaction of the Division that their approval would provide a benefit to the training program.

B. The number of certificate of qualification instructors approved by the Division will be limited to the needs of the program.

R724-4-16 Denial, Suspension, or Revocation of Approval as a Concealed Firearm Permit Instructor or Certificate of Qualification Instructor. (Adopted 2000)

Approval as a concealed firearm permit instructor or certificate of qualification instructor may be denied, suspended or revoked for any of the following reasons:

1. failing to meet the requirements of Sections R724-4-14 or 15;
2. failing to teach from an approved course of instruction;
3. failing to maintain records verifying that an applicant has passed a required course of instruction; or
4. knowingly and willfully providing false information to the Division.

R724-4-17 Records Access. (Adopted 2000)

A. The purpose of this section is to define access to concealed firearm permit and certificate of qualification records in accordance with Title 63, Chapter 2, and Subsection 53-5-708 (1).

B. Except as provided in Subsection 53-5-708 (1), information supplied to the Division by an applicant shall be considered "private" in accordance with Subsection 63-2-302 (2)(d).

C. Information gathered by the Division and placed in the applicant's file shall be considered "protected" in accordance with Subsections 63-2-304 (8)and(9). However, if such information is used as the basis for denial of a concealed firearm permit or certificate of qualification, such information shall be considered "private" in accordance with Subsection 63-2-302 (2)(d) and the applicant shall have access to it in accordance with Subsection 53-5-704 (10)(c).

R724-4-18 Adjudicative Procedures. (Adopted 2000)

A. Any applicant denied a concealed firearm permit or certificate of qualification may request a hearing before the board by filing an appeal to the Division within 60 days from the date the notice of denial is issued. This appeal process also applies to a concealed firearm permit holder or certificate of qualification holder whose concealed firearm permit or certificate of qualification has been suspended or revoked.

B. Board hearings will be conducted informally in accordance with Section 63-46b-5.

C. Board decisions shall be issued within 30 days from the date of the hearing in accordance with Subsection 53-5-704 (10)(E) and shall comply with the requirements of Subsection 63-46b-5 (1)(i).



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D. In accordance with Section 63-46b-11 the board may enter a default order against any party who fails to participate in a hearing.

E. Judicial review of all final actions resulting from informal adjudicative proceedings is available pursuant to Section 63-46b-15.

F. Denial, suspension, or revocation of a temporary permit is not appealable to the board.

G. A concealed firearm permit instructor or certificate of qualification instructor has the same appeal rights as set forth in this section for concealed firearm permit holders and certificate of qualification holders.

Selected Federal Laws

US Codes of Federal Regulations

Title 18, Part I, Chapter 44

Sec. 922. - Unlawful acts

(a) It shall be unlawful—

(3) for any person, other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector to transport into or receive in the State where he resides (or if the person is a corporation or other business entity, the State where it maintains a place of business) any firearm purchased or otherwise obtained by such person outside that State, except that this paragraph (A) shall not preclude any person who lawfully acquires a firearm by bequest or intestate succession in a State other than his State of residence from transporting the firearm into or receiving it in that State, if it is lawful for such person to purchase or possess such firearm in that State, (B) shall not apply to the transportation or receipt of a firearm obtained in conformity with subsection (b)(3) of this section, and (C) shall not apply to the transportation of any firearm acquired in any State prior to the effective date of this chapter;

(6) for any person in connection with the acquisition or attempted acquisition of any firearm or ammunition from a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false, fictitious, or misrepresented identification, intended or likely to deceive such importer, manufacturer, dealer, or collector with respect to any fact material to the lawfulness of the sale or other disposition of such firearm or ammunition under the provisions of this chapter;

(b) It shall be unlawful for any licensed importer, licensed manufacturer, licensed dealer, or licensed collector to sell or deliver -
(1) any firearm or ammunition to any individual who the licensee knows or has reasonable cause to believe is less than eighteen years of age, and, if the firearm, or ammunition is other than a shotgun or rifle, or ammunition for a shotgun or rifle, to any individual who the licensee knows or has reasonable cause to believe is less than twenty-one years of age;

(d) It shall be unlawful for any person to sell or otherwise dispose of any firearm or ammunition to any person knowing or having reasonable cause to believe that such person -

(1) is under indictment for, or has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year;

(2) is a fugitive from justice;

(3) is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

(4) has been adjudicated as a mental defective or has been committed to any mental institution;

(5) who, being an alien -

(A) is illegally or unlawfully in the United States; or

(B) except as provided in subsection (y)(2), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26)));

(6) who [1] has been discharged from the Armed Forces under dishonorable conditions;

(7) who, having been a citizen of the United States, has renounced his citizenship;

(8) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place

an intimate partner in reasonable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that -
(A) was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and
(B)

(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

(9) has been convicted in any court of a misdemeanor crime of domestic violence.

This subsection shall not apply with respect to the sale or disposition of a firearm or ammunition to a licensed importer, licensed manufacturer, licensed dealer, or licensed collector who pursuant to subsection (b) of section 925 of this chapter is not precluded from dealing in firearms or ammunition, or to a person who has been granted relief from disabilities pursuant to subsection (c) of section 925 of this chapter.

(e) It shall be unlawful for any person knowingly to deliver or cause to be delivered to any common or contract carrier for transportation or shipment in interstate or foreign commerce, to persons other than licensed importers, licensed manufacturers, licensed dealers, or licensed collectors, any package or other container in which there is any firearm or ammunition without written notice to the carrier that such firearm or ammunition is being transported or shipped; except that any passenger who owns or legally possesses a firearm or ammunition being transported aboard any common or contract carrier for movement with the passenger in interstate or foreign commerce may deliver said firearm or ammunition into the custody of the pilot, captain, conductor or operator of such common or contract carrier for the duration of the trip without violating any of the provisions of this chapter. No common or contract carrier shall require or cause any label, tag, or other written notice to be placed on the outside of any package, luggage, or other container that such package, luggage, or other container contains a firearm.

(g) It shall be unlawful for any person -

(1) who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year;

(2) who is a fugitive from justice;

(3) who is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

(4) who has been adjudicated as a mental defective or who has been committed to a mental institution;

(5) who, being an alien -

(A) is illegally or unlawfully in the United States; or

(B) except as provided in subsection (y)(2), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26)));

(6) who has been discharged from the Armed Forces under dishonorable conditions;

(7) who, having been a citizen of the United States, has renounced his citizenship;

(8) who is subject to a court order that -

(A) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;

(B) restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

(C)

(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

(9) who has been convicted in any court of a misdemeanor crime of domestic violence, to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.



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(k) It shall be unlawful for any person knowingly to transport, ship, or receive, in interstate or foreign commerce, any firearm which has had the importer's or manufacturer's serial number removed, obliterated, or altered or to possess or receive any firearm which has had the importer's or manufacturer's serial number removed, obliterated, or altered and has, at any time, been shipped or transported in interstate or foreign commerce.

(q) (1) The Congress finds and declares that -

(l) the Congress has the power, under the interstate commerce clause and other provisions of the Constitution, to enact measures to ensure the integrity and safety of the Nation's schools by enactment of this subsection.

(2) (A) It shall be unlawful for any individual knowingly to possess a firearm that has moved in or that otherwise affects interstate or foreign commerce at a place that the individual knows, or has reasonable cause to believe, is a school zone.

(B) Subparagraph (A) does not apply to the possession of a firearm -

(i) on private property not part of school grounds;

(ii) if the individual possessing the firearm is licensed to do so by the State in which the school zone is located or a political subdivision of the State, and the law of the State or political subdivision requires that, before an individual obtains such a license, the law enforcement authorities of the State or political subdivision verify that the individual is qualified under law to receive the license;

(iii) that is -

(I) not loaded; and

(II) in a locked container, or a locked firearms rack that is on a motor vehicle;

(iv) by an individual for use in a program approved by a school in the school zone;

(v) by an individual in accordance with a contract entered into between a school in the school zone and the individual or an employer of the individual;

(vi) by a law enforcement officer acting in his or her official capacity; or

(vii) that is unloaded and is possessed by an individual while traversing school premises for the purpose of gaining access to public or private lands open to hunting, if the entry on school premises is authorized by school authorities.

(3) (A) Except as provided in subparagraph (B), it shall be unlawful for any person, knowingly or with reckless disregard for the safety of another, to discharge or attempt to discharge a firearm that has moved in or that otherwise affects interstate or foreign commerce at a place that the person knows is a school zone.

(B) Subparagraph (A) does not apply to the discharge of a firearm -

(i) on private property not part of school grounds;

(ii) as part of a program approved by a school in the school zone, by an individual who is participating in the program;

(iii) by an individual in accordance with a contract entered into between a school in a school zone and the individual or an employer of the individual; or

(iv) by a law enforcement officer acting in his or her official capacity.

(x)(1) It shall be unlawful for a person to sell, deliver, or otherwise transfer to a person who the transferor knows or has reasonable cause to believe is a juvenile -

(A) a handgun; or

(B) ammunition that is suitable for use only in a handgun.

(2) It shall be unlawful for any person who is a juvenile to knowingly possess -

(A) a handgun; or

(B) ammunition that is suitable for use only in a handgun.

(3) This subsection does not apply to -

(A) a temporary transfer of a handgun or ammunition to a juvenile or to the possession or use of a handgun or ammunition by a juvenile if the handgun and ammunition are possessed and used by the juvenile -

(i) in the course of employment, in the course of ranching or farming related to activities at the residence of the juvenile (or on property used for ranching or farming at which the juvenile, with the permission of the property owner or lessee, is performing activities related to the operation of the farm or ranch), target practice, hunting, or a course of instruction in the safe and lawful use of a handgun;

(ii) with the prior written consent of the juvenile's parent or guardian who is not prohibited by Federal, State, or local law from possessing a firearm, except -

(I) during transportation by the juvenile of an unloaded handgun in a locked container directly from the place of transfer to a place at which an activity described in clause (i) is to take place and transportation by the juvenile of that handgun, unloaded and in a locked container, directly from the place at which such an activity took place to the transferor; or

(II) with respect to ranching or farming activities as described in clause (i), a juvenile may possess and use a handgun or ammunition with the prior written approval of the juvenile's parent or legal guardian and at the direction of an adult who is not prohibited by Federal, State or local law from possessing a firearm;

(iii) the juvenile has the prior written consent in the juvenile's possession at all times when a handgun is in the possession of the juvenile; and

(iv) in accordance with State and local law;

(B) a juvenile who is a member of the Armed Forces of the United States or the National Guard who possesses or is armed with a handgun in the line of duty;

(C) a transfer by inheritance of title (but not possession) of a handgun or ammunition to a juvenile; or

(D) the possession of a handgun or ammunition by a juvenile taken in defense of the juvenile or other persons against an intruder into the residence of the juvenile or a residence in which the juvenile is an invited guest.

(4) A handgun or ammunition, the possession of which is transferred to a juvenile in circumstances in which the transferor is not in violation of this subsection shall not be subject to permanent confiscation by the Government if its possession by the juvenile subsequently becomes unlawful because of the conduct of the juvenile, but shall be returned to the lawful owner when such handgun or ammunition is no longer required by the Government for the purposes of investigation or prosecution.

(5) For purposes of this subsection, the term "juvenile" means a person who is less than 18 years of age.

(6)

(A) In a prosecution of a violation of this subsection, the court shall require the presence of a juvenile defendant's parent or legal guardian at all proceedings.

(B) The court may use the contempt power to enforce subparagraph (A).

(C) The court may excuse attendance of a parent or legal guardian of a juvenile defendant at a proceeding in a prosecution of a violation of this subsection for good cause shown.

Sec. 926A. - Interstate transportation of firearms

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

Sec. 930. - Possession of firearms and dangerous weapons in Federal facilities

(a) Except as provided in subsection (d), whoever knowingly possesses or causes to be present a firearm or other dangerous weapon in a Federal facility (other than a Federal court facility), or attempts to do so, shall be fined under this title or imprisoned not more than 1 year, or both.

(b) Whoever, with intent that a firearm or other dangerous weapon be used in the commission of a crime, knowingly possesses or causes to be present such firearm or dangerous weapon in a Federal facility, or attempts to do so, shall be fined under this title or imprisoned not more than 5 years, or both.

(c) A person who kills any person in the course of a violation of subsection (a) or (b), or in the course of an attack on a Federal facility involving the



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use of a firearm or other dangerous weapon, or attempts or conspires to do such an act, shall be punished as provided in sections 1111, 1112, 1113, and 1117.

(d) Subsection (a) shall not apply to -

(1) the lawful performance of official duties by an officer, agent, or employee of the United States, a State, or a political subdivision thereof, who is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of law;

(2) the possession of a firearm or other dangerous weapon by a Federal official or a member of the Armed Forces if such possession is authorized by law; or

(3) the lawful carrying of firearms or other dangerous weapons in a Federal facility incident to hunting or other lawful purposes.

(e) (1) Except as provided in paragraph (2), whoever knowingly possesses or causes to be present a firearm in a Federal court facility, or attempts to do so, shall be fined under this title, imprisoned not more than 2 years, or both.

(2) Paragraph (1) shall not apply to conduct which is described in paragraph (1) or (2) of subsection (d).

(f) Nothing in this section limits the power of a court of the United States to punish for contempt or to promulgate rules or orders regulating, restricting, or prohibiting the possession of weapons within any building housing such court or any of its proceedings, or upon any grounds appurtenant to such building.

(g) As used in this section:

(1) The term "Federal facility" means a building or part thereof owned or leased by the Federal Government, where Federal employees are regularly present for the purpose of performing their official duties.

(2) The term "dangerous weapon" means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 1/2 inches in length.

(3) The term "Federal court facility" means the courtroom, judges' chambers, witness rooms, jury deliberation rooms, attorney conference rooms, prisoner holding cells, offices of the court clerks, the United States attorney, and the United States marshal, probation and parole offices, and adjoining corridors of any court of the United States.

(h) Notice of the provisions of subsections (a) and (b) shall be posted conspicuously at each public entrance to each Federal facility, and notice of subsection (e) shall be posted conspicuously at each public entrance to each Federal court facility, and no person shall be convicted of an offense under subsection (a) or (e) with respect to a Federal facility if such notice is not so posted at such facility, unless such person had actual notice of subsection (a) or (e), as the case may be.

Title 36, Volume 1, Chapter 1 - National Park Service, Dept. of the Interior. (Updated 9 Jan 2009 to add paragraph (h))

Section 2.4 Weapons, Traps, and Nets:

(a)(1) Except as otherwise provided in this section and parts 7 (special regulations), and 13 (Alaska regulations), the following are prohibited:

(i) Possessing a weapon, trap or net

(ii) Carrying a weapon, trap or net

(iii) Using a weapon, trap or net

(2) Weapons, traps or nets may be carried, possessed or used:

(i) At designated times and locations in park areas where:

(A) The taking of wildlife is authorized by law in accordance with Sec. 2.2 of this chapter;

(B) The taking of fish is authorized by law in accordance with Sec. 2.3 of this part.

(ii) When used for target practice at designated times and at facilities or locations designed and constructed specifically for this purpose and designated pursuant to special regulations.

(iii) Within a residential dwelling. For purposes of this subparagraph only, the term "residential dwelling" means a fixed housing structure which is either the principal residence of its occupants, or is occupied on a regular and recurring basis by its occupants as an alternate residence or vacation home.

(3) Traps, nets and unloaded weapons may be possessed within a temporary lodging or mechanical mode of conveyance when such

implements are rendered temporarily inoperable or are packed, cased or stored in a manner that will prevent their ready use.

(b) Carrying or possessing a loaded weapon in a motor vehicle, vessel or other mode of transportation is prohibited, except that carrying or possessing a loaded weapon in a vessel is allowed when such vessel is not being propelled by machinery and is used as a shooting platform in accordance with Federal and State law.

(c) The use of a weapon, trap or net in a manner that endangers persons or property is prohibited.

(d) The superintendent may issue a permit to carry or possess a weapon, trap or net under the following circumstances:

(1) When necessary to support research activities conducted in accordance with Sec. 2.5

(2) To carry firearms for persons in charge of pack trains or saddle horses for emergency use.

(3) For employees, agents or cooperating officials in the performance of their official duties.

(4) To provide access to otherwise inaccessible lands or waters contiguous to a park area when other means of access are otherwise impracticable or impossible.

Violation of the terms and conditions of a permit issued pursuant to this paragraph is prohibited and may result in the suspension or revocation of the permit.

(e) Authorized Federal, State and local law enforcement officer may carry firearms in the performance of their official duties.

(f) The carrying or possession of a weapon, trap or net in violation of applicable Federal and State laws is prohibited.

(g) The regulations contained in this section apply, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

(h) Notwithstanding any other provision in this Chapter, a person may possess, carry, and transport concealed, loaded, and operable firearms within a national park area in accordance with the laws of the state in which the national park area, or that portion thereof, is located, except as otherwise prohibited by applicable federal law. (Editor's note: This paragraph has been blocked by a court injunction - see <http://tinyurl.com/decxmt>. Legislation has been enacted to resolve this issue but does not go into effect until February 2009. Until then, this paragraph is of no use to those who want to carry a firearm for personal protection.)

Sec. 261.10 Occupancy and use.

The following are prohibited:

(d) Discharging a firearm or any other implement capable of taking human life, causing injury, or damaging property as follows:

(1) In or within 150 yards of a residence, building, campsite, developed recreation site or occupied area, or

(2) Across or on a National Forest System road or a body of water adjacent thereto, or in any manner or place whereby any person or property is exposed to injury or damage as a result in such discharge.

(3) Into or within any cave.

Section 46505. Carrying a weapon or explosive on an aircraft

(a) Definition. - In this section, "loaded firearm" means a starter gun or a weapon designed or converted to expel a projectile through an explosive, that has a cartridge, a detonator, or powder in the chamber, magazine, cylinder, or clip.

(b) General Criminal Penalty. - An individual shall be fined under title 18, imprisoned for not more than 10 years, or both, if the individual -

(1) when on, or attempting to get on, an aircraft in, or intended for operation in, air transportation or intrastate air transportation, has on or about the individual or the property of the individual a concealed dangerous weapon that is or would be accessible to the individual in flight;

(2) has placed, attempted to place, or attempted to have placed a loaded firearm on that aircraft in property not accessible to passengers in flight; or

(3) has on or about the individual, or has placed, attempted to place, or attempted to have placed on that aircraft, an explosive or incendiary device.

(c) Criminal Penalty Involving Disregard for Human Life. - An individual who willfully and without regard for the safety of human life, or with reckless disregard for the safety of human life, violates subsection (b) of



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this section, shall be fined under title 18, imprisoned for not more than 15 years, or both.

(d) Nonapplication. - Subsection (b)(1) of this section does not apply to -
(1) a law enforcement officer of a State or political subdivision of a State, or an officer or employee of the United States Government, authorized to carry arms in an official capacity;

(2) another individual the Administrator of the Federal Aviation Administration by regulation authorizes to carry a dangerous weapon in air transportation or intrastate air transportation; or

(3) an individual transporting a weapon (except a loaded firearm) in baggage not accessible to a passenger in flight if the air carrier was informed of the presence of the weapon.

39 CFR 232.1(l) Weapons and explosives. No person while on postal property may carry firearms, other dangerous or deadly weapons, or explosives, either openly or concealed, or store the same on postal property, except for official purposes.



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Utah Concealed Firearm Licensing Authority:
Utah Department of Public Safety
Bureau of Criminal Identification
3888 West 5400 South
Salt Lake City, Utah 84114-8280
Phone: (801) 965-4445
<http://bci.utah.gov/CFP/CFPHome.html>

Mandatory Minimum Training Curriculum for Utah Concealed Firearm Permits
<http://tinyurl.com/lkjvtt>

Three-Peaks Gun Safety Syllabus for Utah Concealed Firearm Permit Course
http://www.30-06.org/utah_ccw_syllabus.pdf

Three-Peaks Gun Safety PowerPoint for Utah Concealed Firearm Permit Course
http://www.30-06.org/utah_ccw_powerpoint_slides.pps

Selected Concealed Carry and Open Carry Internet Websites
<http://www.handgunlaw.us>
<http://www.carryconcealed.net>
<http://www.usacarry.com>
<http://www.gunmap.org>
<http://www.30-06.org/#ccw>
<http://www.opencarry.org>

Selected Books on Concealed Carry and Shooting
http://www.30-30.org/gun_control.htm#books

State-By-State Guides to Gun Laws
<http://www.gunlaws.com/books2.htm>

Federal and State Firearm Laws
<http://www.nraila.org/GunLaws/>

State Laws and Published Firearms Ordinances
<http://www.atf.gov/firearms/statelaws/26thedition/index.htm>

State and Local Firearms Laws
http://www.lcav.org/content/state_local.asp

Federal Firearms Regulations Reference Guide
http://www.atf.gov/pub/fire-explo_pub/2005/p53004/index.htm

Quick Reference to Federal Firearms Laws
http://www.atf.gov/pub/fire-explo_pub/pdf/quickgid2.pdf

The National Instant Criminal Background Check System
<http://www.fbi.gov/hq/cjisd/nics.htm>

Gun Free School Zone Notice
<http://tinyurl.com/ml4koq>

Youth Handgun Safety Act Notice
http://www.atf.gov/pub/fire-explo_pub/i53002.pdf

Misdemeanor Crimes of Domestic Violence and Federal Firearms Prohibitions
http://www.atf.gov/pub/fire-explo_pub/i33103.pdf

Gun Buyer's Resolution Guide if Denied a Gun Purchase
<http://www.fbi.gov/hq/cjisd/nics/gunbuyer.htm>
<http://www.fbi.gov/hq/cjisd/nics/nicsappeals.htm>

Criminal Record Expungement and Sealing
<http://www.recordgone.com>

Guide to the Interstate Transportation of Firearms
<http://www.nraila.org/GunLaws/Federal/Read.aspx?id=59>

DOJ Letter on Interstate Firearms Transport
<http://www.nraila.org/images/DOJltrTSA.pdf>

Flying With Firearms
Part 1 - <http://www.dillonprecision.com/docs/Dec-07p22.pdf>
Part 2 - <http://www.dillonprecision.com/docs/Dec-07p53.pdf>

National Rifle Association (NRA) – If you're not a member, you're sitting in the wagon while the rest of us pull! Join here: <http://www.30-06.org/nra.htm>

NRA Civil Rights Defense Fund
<http://www.nradefensefund.org/>

NRA Foundation
<http://www.nrafoundation.org/>

NRA-Endorsed Self-Defense Insurance
<http://www.locktonrisk.com/nra/selfdefense.asp>

Self-Defense Insurance From MMD Brokers
<http://www.mmdbrokers.com/>

Armed Citizens' Legal Defense Network
<http://www.armedcitizensnetwork.org>

Gun Owners of America
<http://www.gunowners.org/>

Second Amendment Foundation
<http://www.saf.org/>

Armed Females of America
<http://www.armedfemalesofamerica.com/>

Women Against Gun Control
<http://www.wagc.com>

Cornered Cat
<http://www.corneredcat.com>

Citizens Committee for the Right to Keep and Bear Arms
<http://www.ccrkba.org/>

Firearms Coalition
<http://www.firearmscoalition.org/>

US Concealed Carry Association
<http://tinyurl.com/6pjmfg>

Utah Shooting Sports Council (I strongly urge membership in this organization and subscribing to their free email newsletter)
<http://utahshootingsports.com/>

Utah State Rifle & Pistol Association
<http://www.usrpa.org>

GOUtah! (Gun Owners of Utah) (I strongly urge membership in this organization and subscribing to their free email newsletter)
<http://www.goutah.org>

Utah Concealed Carry Forum
<http://utahconcealedcarry.com>

Tom Gresham's Gun Talk Archives
<http://guntalk.libsyn.com/>

Tom Gresham Gun Training Videos
<http://www.guntalk.tv>

Videos on Guns, Gun Rights, and Gun Control
<http://tinyurl.com/6hv62m>

ThunderFlix Gun Video Rentals
<http://thunderflix.com/>

Gun Videos
<http://www.gunvideo.com>

America Armed and Free Archives
<http://www.libertywatchradio.com/listen>

NRA News
<http://www.nranews.com>

NRA News Alerts by Email (I strongly urge subscribing to their free email newsletter)
<https://secure.nraila.org/EmailSignup.aspx>

NRA Grassroots Alerts
<http://www.nraila.org/GrassrootsAlerts/>

Firearm News
<http://firearmnews.com/>

Gun Facts: Debunk Common Gun-Control Myths
<http://www.gunfacts.info/>

Self-Defense: A Basic Human Right
<http://www.a-human-right.com/>

Fables, Myths & Other Tall Tales of Gun Control
<http://www.nraila.org/Issues/Articles/Read.aspx?id=209>

GunLaws
<http://www.gunlaws.com/>

Page Nine: The Uninvited Ombudsman (I strongly urge subscribing to their free email newsletter)
<http://pagenine.typepad.com/>

Best Choices for Self-Defense Ammo
<http://tinyurl.com/637vv4>

Ammo-Safe Firearm Safety Devices
<http://www.ammo-safe.com>

Blade-Tech Training Barrels
<http://www.blade-tech.com/Training-Barrel-pr-1018.html>

TrainSafe Training Barrel Inserts
<http://www.trainSAFE.us>

SnapSafe
<http://www.snapsafe.com>

Quick Draw Gun Magnet
<http://www.quickdrawgunmagnets.com>

FAST Holster System
<http://www.fastholster.com>

Secure Purse
<http://mygunpurses.com>

Sportsman's Magnet
<http://tinyurl.com/m54c5e>

If You Don't Vote Like A Gun Owner...
<http://www.freerepublic.com/focus/f-bloggers/1694580/posts>

Crime Control and Gun Control Poll
<http://www.misterpoll.com/3274597275.html>

Quotes on Firearm Ownership
http://www.30-06.org/gun_control.htm#gun_quotes

Steve's Index to Firearm Manuals
<http://stevespages.com/page7b.htm>

Advanced Training at Front Sight
<http://tinyurl.com/d6rd72>

Advanced Training at Gunsite
<http://www.gunsite.com>

Advanced Training at Thunder Ranch
<http://www.thunderranchinc.com>

Advanced Training at Lethal Force Institute (LFI)
<http://www.defenseassociates.com/lfi.htm>

Advanced Training at Suarez International
<http://www.suarezinternationalstore.com/>

Advanced Training at American Small Arms Academy
<http://www.chucktaylorasaa.com/>

International Defensive Pistol Association (IDPA)
<http://www.idpa.com>

International Practical Shooting Confederation (IPSC)
<http://www.ipsc.org>

United States Practical Shooting Association (see IPSC)
<http://www.uspsa.org>

Iron Springs Practical Shooters (see IPSC)
<http://www.ironspringspracticalshooters.com/blog/>

Matt Burkett Dry Fire Drills
<http://www.mattburkett.com/flashfiles/dryfire.html>

Iron County Shooting Range
From Main Street and 200 North in Cedar City, Utah, drive west on 200 North (Highway 56). After 5.3 miles, turn right on Iron Springs Road. After another 5.4 miles, turn right on a dirt road. After another 2.0 miles, you will see the shooting range on your left. We usually shoot at the small-bore/pistol area which is the first area with a U-shaped berm.



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Delta Air Lines Firearm Policy

(As of 30 Jul 2003. Taken from www.delta.com. Subject to change. Always check with your airline before traveling.)

Shooting Equipment

One item of shooting equipment is accepted as part of a customer's free checked baggage allowance. For each item listed, one item of shooting equipment is defined as one or a combination of the following:

Rifles

One rifle case containing:

- two or fewer rifles (with or without scopes)
- one shooting mat
- one small pistol tool kit
- noise suppressers
- 11 lbs. of ammunition

Cases containing more than two rifles will be assessed an excess baggage charge.

Shotguns

- two shotguns
- two shotgun cases
- 11 lbs. of ammunition

Cases containing more than two shotguns will be assessed an excess baggage charge.

Pistols

One pistol case containing:

- two pistols
- pistol telescopes
- noise suppressers
- a small pistol tool case
- 11 lbs. of ammunition

Cases containing more than two pistols will be assessed an excess baggage charge.

When checking a firearm, you must:

- declare to the Delta representative that they are checking a firearm (If a Security Checkpoint is prior to the Delta ticket counter, you must declare the existence of a firearm to security personnel.)
- present firearm(s) unloaded and sign a "Firearms Unloaded" declaration
- lock the firearm(s) in a hard-sided, crush-proof container and retain the key or combination
- maintain entry permits in your possession for the country or countries of destination or transit
- ensure small arms ammunition is packed in the manufacturer's original package or securely packed in fiber, wood or metal boxes

Note: Firearms transported to the United Kingdom as checked baggage require a permit from the United Kingdom. The passenger must contact the United Kingdom for more information regarding this permit.

Ammunition in excess of 11 lbs. per passenger or that contains incendiary projectiles is prohibited.