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**RE: Definition of enclosed holster**

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**From :** Mark Bowen <MBowen@mdsp.org>  
**Subject :** RE: Definition of enclosed holster  
**To :** sautoservice@comcast.net

Fri, Apr 13, 2012 01:42 PM

Dear Mr. [REDACTED]

The term "enclosed holster" is not defined in statute or regulation.

There have been two Opinions of the Attorney General and one Maryland Court of Appeals decision referring to the term. I quote the relevant portions below:

Term "enclosed holster" used in paragraph (b) (5) means a holster so designed as to restrict in some way access to the handgun so that a fastening device or closure has to be opened, released, or removed before the weapon can be exposed or freed from the holster and made immediately available for use. 57 Op. Att'y Gen. 502 (1972).

The nature of an enclosed case within the contemplation of the statute should be considered in the light of the purpose of the statute to transport the guns in a secure manner, deny easy access to them and render them safe and harmless during transit. In our opinion, any type of closed case or receptacle that would insure carrying out the statutory purpose would constitute a sufficient compliance. 58 Op. Atty Gen. Md. 375 (1973).

It could hardly have been the legislative intent to permit guns to be carried in an unfastened sack when it used the language "carried in an enclosed case or enclosed holster." While this language may not require a customary gun case or holster, it does require more than an unfastened sack. Jordan v. State, 24 Md. App. 267, 274, 330 A.2d 496, 501 (1975).

Mark H. Bowen  
Assistant Attorney General

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**From:** sautoservice@comcast.net [mailto:sautoservice@comcast.net]  
**Sent:** Thursday, April 12, 2012 5:18 PM  
**To:** LCU@mdsp.org  
**Subject:** Definition of enclosed holster

Under Md.Criminal Law 4-203 (Wearing, carrying, or transporting handgun)

Can you please tell me what Md. considers an enclosed holster or perhaps tell me where to look in the Annotated Code?

Thank You,  
[REDACTED]  
[REDACTED]  
[REDACTED]

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