

Dear Mr. <Redacted>,

The federal law in question, 18 USC 926A, allows for the interstate transportation of firearms (regardless of state law) “from any place where such person may lawfully possess and carry such firearm” As noted in the memorandum attached to your email, it is generally unlawful to carry a handgun in Maryland . Unless the transportation of the handgun falls within one of the exceptions (set forth in Section 4-203(b) of the Criminal Law Article of the Annotated Code of Maryland <http://mlis.state.md.us/asp/statutes...Extension=HTML>) then the carrying of the handgun would not satisfy one of the prerequisites of 926A and the federal exemption would not apply.

The fact that your handgun is registered in Maryland , does not authorize you to carry the handgun within the State. You may only lawfully wear, carry or transport a handgun if you are doing so for one in connection with one of the activities described in 4-203(b).

If you were not transporting the handgun in connection with one of the activities allowed under 4-203(b), you would not be lawfully carrying the handgun in Maryland , and, therefore, 926A would not apply.

Mark H. Bowen

Assistant Attorney General

2nd part

Mr. <Redacted>,

If you are not transporting the handgun in connection with one of the activities under 4-203(b), then you may not lawfully transport the handgun in Maryland , regardless of whether you destination is within or outside of the State.

I am unaware of any appellate case in which the court has addressed the question of transportation of a handgun for other purposes in addition to one of the activities listed in 4-203(b). Arguably, so long as one of the purposes for transporting the handgun fell within 4-203(b), then the transportation would be lawful. As there is no clear appellate law on this issue, I cannot provide any definitive answer. You should seek the advice of your own attorney.

I do not object to the posting of my emails. However, I would note that these messages do not constitute an official opinion of the Office of the Attorney General of Maryland.

Mark H. Bowen

Assistant Attorney General

