

Dear Mr. _____:

Maryland law generally prohibits the wearing, carrying or transporting of handgun, loaded or unloaded, concealed or openly: 1) on or about one's person; and, 2) in a vehicle traveling on a road or parking lot generally used by the public, highway, waterway, or airway of the State.

Individuals who have been issued a permit to carry a handgun by the Maryland Department of State Police (handgun carry permits issued by other states are not effective) are exempted from this law.

The following activities are also exempted: 1) the carrying of a handgun on the person or in a vehicle while the person is transporting the handgun to or from the place of legal purchase or sale, or to or from a bona fide repair shop, or between bona fide residences of the person, or between the bona fide residence and place of business of the person, if the business is operated and owned substantially by the person if each handgun is unloaded and carried in an enclosed case or an enclosed holster; 2) the wearing, carrying, or transporting by a person of a handgun used in connection with an organized military activity, a target shoot, formal or informal target practice, sport shooting event, hunting, a Department of Natural Resources-sponsored firearms and hunter safety class, trapping, or a dog obedience training class or show, while the person is engaged in, on the way to, or returning from that activity if each handgun is unloaded and carried in an enclosed case or an enclosed holster; 3) the moving by a bona fide gun collector of part or all of the collector's gun collection from place to place for public or private exhibition if each handgun is unloaded and carried in an enclosed case or an enclosed holster; 4) the wearing, carrying, or transporting of a handgun by a person on real estate that the person owns or leases or where the person resides or within the confines of a business establishment that the person owns or leases; 5) the wearing, carrying, or transporting of a handgun by a supervisory employee: in the course of employment; within the confines of the business establishment in which the supervisory employee is employed; and (iii) when so authorized by the owner or manager of the business establishment.

The federal law you cite (18 USC 926A) applies to the interstate transportation of a firearm (handgun or long arm) and supersedes Maryland law. It would have no bearing on the transportation of a firearm where the origin and destination are both within Maryland. It would however allow for the transportation of a firearm through the State of Maryland regardless of the Maryland law cited above.

For purposes of the exceptions to Maryland law, a handgun may be transported within the passenger compartment of the vehicle provided it is unloaded and in an enclosed case or holster. For purposes of the federal law exception, the firearm must be unloaded and not readily accessible from the passenger compartment.

Mark H. Bowen Assistant Attorney General

(end of quotation from Mr. Bowen)