

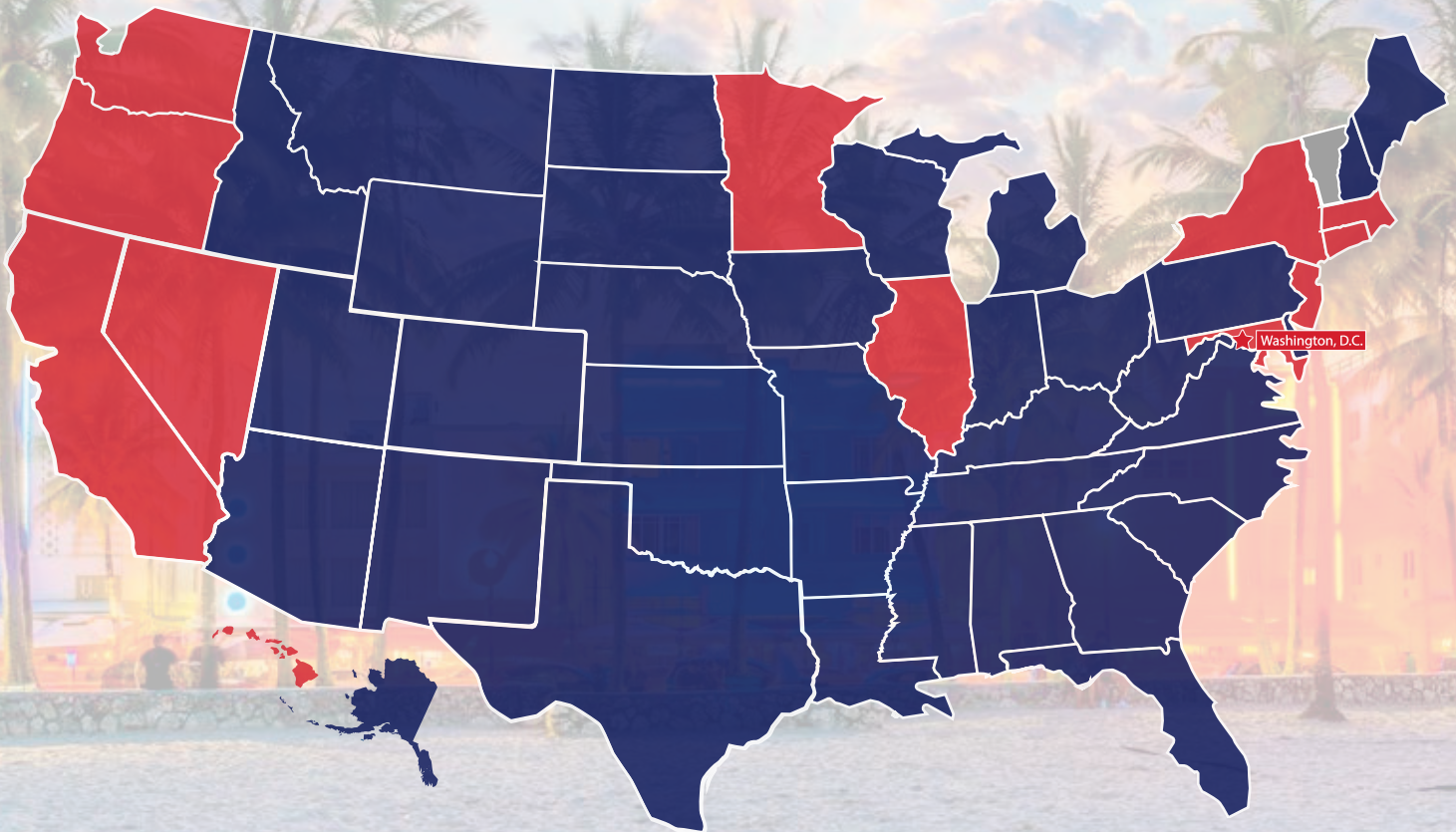
# FLORIDA TRAVEL GUIDE FOR GUN OWNERS



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FOR  
SELF DEFENSE

# PERMITS/LICENSES RECOGNIZED BY FLORIDA

Florida recognizes concealed handgun carry licenses and permits from most other states. However, you **must be a resident** of the state that issued your permit for it to be recognized, that state must honor Florida concealed weapon or concealed firearm licenses, and you must be at least 21 years old. Fla. Stat. § 790.015. Additionally, Florida does not recognize out-of-state permits held by Florida residents. See Fla. Stat. § 790.015(3).



Recognizes a handgun license or permit issued by this state to residents of this state.



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



Does not issue a state license or permit to carry.

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



# FLORIDA LAWS YOU SHOULD KNOW

The State of Florida has **preempted** local governments from making firearm laws. This means that the law is uniform throughout the state, except on school property. See Fla. Stat. §§ 790.33, 790.115(2)(a)(3). Local School Boards can determine whether firearms may be carried in vehicles in the parking lots of schools; however, since this information is difficult to find, it is better to avoid carrying on any school property. Additionally, federal property is subject to federal law (not state law), which typically prohibits firearms anywhere on federal property (including parking lots). See 18 U.S.C. § 930.

## VEHICLE CARRY



Florida will allow anyone who is eligible to possess a firearm to carry a loaded handgun in their vehicle, regardless of whether they have a recognized license or permit. The handgun must remain concealed, and it may be loaded. If you do not have a recognized license, it must either be securely encased or not readily accessible for immediate use while in the vehicle. Fla. Stat. § 790.06(1).



## DUTY TO NOTIFY LAW ENFORCEMENT

All Florida and out-of-state license or permit holders must have their license or permit on them at any time that they are carrying a concealed weapon and must display it along with a government-issued identification card to law enforcement upon request. Fla. Stat. § 790.06(1).



## OPEN CARRY

Open carry is generally **not allowed** in Florida unless you are fishing, camping, lawfully hunting, or fall within one of the other limited exceptions. Fla. Stat. §§ 790.053, 790.25(3)(h).

## IMPORTANT NOTES

In the State of Florida, prohibited places include: school or professional sporting events, the property of any school or school bus stop, college campuses, career centers, hospitals that provide mental health services, or any property where you have notice that you are not welcome to carry a firearm. See Fla. Stat. §§ 394.458(1)(a), 790.06(12)(a). Florida law does not state whether the posting of a sign is proper notice. We advise that if you see a sign that in any way seems to indicate guns are not welcome, you take your business elsewhere instead of becoming a test case. You can carry a firearm in the restaurant portion of a combined restaurant/bar establishment but may not go into the bar area. Fla. Stat. §§ 790.06(12)(a)(12), 790.115.



# WHERE CAN YOU LEGALLY CARRY YOUR CONCEALED HANDGUN IN FLORIDA?

LOCATION	With CWFL or recognized out of state equivalent	Without CWFL or recognized out of state equivalent
 In a person's own home or place of business.	✓	✓
 In a motor vehicle if the firearm is concealed but not in a secured case or is readily accessible.	✓	✗
 In a motor vehicle if the firearm is in a secured case and carried for self-defense or other lawful purposes.	✓	✓
 Public places not otherwise prohibited by law.	✓	✗
 Property of any public or private school, school bus, school bus stop, or school activity or event, career center, college, technical school, or university (subject to some very limited exceptions).	✗	✗
 Any school, college, or professional athletic event not involving firearms.	✗	✗
 Hospitals that do not provide mental health services.	✓	✗
 Any police, sheriff, or highway patrol station; or detention facility, jail, or prison.	✗	✗
 Any courthouse or courtroom without the judge's permission.	✗	✗
 Any polling place.	✗	✗
 Private property upon receiving actual or posted notice that entrance with a firearm is not permitted.	✗	✗
 Any meeting of the Legislature or legislative committee.	✗	✗
 Any meeting of the governing body of a county, municipality, public school district, or special district.	✗	✗
 State or local government property any time a meeting is not occurring.	✓	✗
 Any United States Post Office or other place not permitted by federal law.	✗	✗
 Any portion of an establishment licensed to dispense alcoholic beverages for consumption on the premises, which portion of the establishment is primarily devoted to such purpose.	✗	✗
 The inside of an airport terminal, except for a firearm encased for shipping as checked baggage.	✗	✗
 Inside the restricted area of a seaport, including parking lots at the seaport.	✗	✗
 Any place of nuisance as defined in Florida Statute § 823.05.	✗	✗
 While engaged in camping, fishing, or lawful hunting.	✓	✓
 While engaged in firearms training, testing, or at a shooting range.	✓	✓
 Grocery, convenience, or liquor stores.	✓	✗
 Houses of Worship.	✓	✗
 Pharmacies.	✓	✗



# FEDERAL LAWS YOU SHOULD KNOW



## NATIONAL PARKS

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

## ARMY CORPS OF ENGINEERS PROPERTY

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

## TRANSFER OF FIREARMS

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



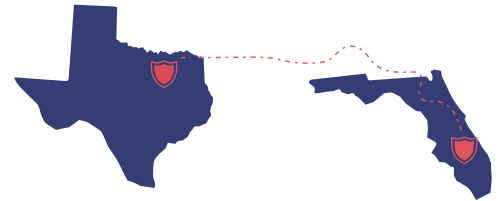
# SAFE PASSAGE

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

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

### Requirement #1

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



### Requirement #2

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



### Requirement #3

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



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

# FLYING WITH A FIREARM

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

## TSA REQUIREMENTS

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

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

## CHECK YOUR CARRY-ON

NO



OK



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

## PRO TIP

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



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