

# New York

May Issue

**Must Inform Officer by Law: NO**  
(See Must Inform Section Below)

## Links

[County CCW Site](#)

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[State FAQ Site](#)

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[NY Application Form](#)

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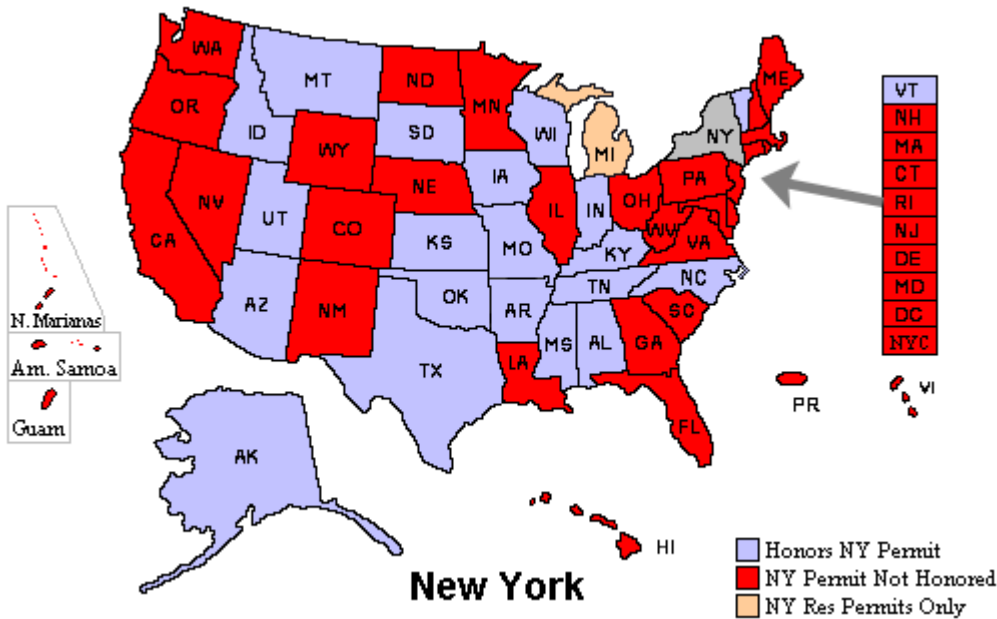
[State Attorney General](#)

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Last Updated: 1/3/14



## Permits/Licenses This State Honors

New York does not honor any other states Permit/License.

**IMPORTANT NOTE:** Your New York State pistol license is only valid in the counties outside the 5 counties of New York City. Unless it is validated by New York City. You may not take your handguns into the city, this includes **Self Protection** licensees, with a few exceptions.

## How to Apply for A Permit

**New York has so many laws and regulations that applying for a permit to carry is a long drawn out process. Your best course of action is to check with the Licensing Officer in your City or County as they have a set procedure they go by.**

Of the fifty-nine (59) licensing jurisdictions, fifty-five (55) issue pistol licenses through the courts with a judge serving as the licensing officer. Background investigations however are conducted by the local law enforcement agencies. The remaining jurisdictions, New York City, Nassau and Suffolk Counties have licensing officers that are either Police Commissioners or a Sheriff. ~~All upstate counties except Westchester have lifetime licenses, also known as "Good Until Revoked". Nassau, Suffolk and Westchester licenses expire every five years (5) and licenses issued in New York City have a two-year (2) expiration.~~

**Note:** New Law passed 1/15/13 makes all licenses valid for a max of 5 years. How NY is going to handle when a lifetime permit expires is not clear at this time. This will be updated when more information becomes available.

## Types Of Pistol Licenses

**As Per Section 400.00 Subd. 2 Of The New York State Penal Law**

- (a) **Premise Dwelling** – Have and possess in his dwelling by a householder.
- (b) **Premise Business** – Have and possess in his place of business by a merchant or storekeeper.
- (c) **Bank or Express Messenger** – Have and carry concealed while so employed by a messenger employed by a banking institution or express company.
- (d) **Justice of The Supreme Court 1st or 2nd Judicial Dept. or Judge of NYC Civil or Criminal Court** – Have and carry concealed by a justice of the supreme court in the first or second judicial departments, or by a judge of the New York City civil court or the New York City criminal court.
- (e) **Employee Of Corrections** – Have and carry concealed while so employed by a regular employee of an institution of the state, or of any county, city, town or village, under control of a commissioner of correction of the city or any warden, superintendent or head keeper of any state prison, penitentiary, workhouse, county jail or other institution for the detention of persons convicted or accused of crime or held as witnesses in criminal cases, provided that application is made therefore by such commissioner, warden, superintendent or head keeper.
- (f) **Proper Cause** – Have and carry concealed, without regard to employment or place of possession, by any person when proper cause exists for the issuance thereof.
- (g) **Antique Pistols** – Have, possess, collect and carry antique pistols which are defined in section 400.00 subd. 2(i)(ii)(1)(2).

**Note: Only a Qualified Retired Law Enforcement Officer or Unrestricted License are full carry licenses . All other Licenses issued have restrictions on When/Where a person can carry.**

**AN APPLICANT MUST:**

- (A) Be of good moral character.
- (B) Have no prior conviction for a felony or other serious offense, as defined in Section 265.00 Definitions. Sub. 17 and Section 400.00 Sub. 1.(d).
- (C) Disclose any history of mental illness.
- (D) Be free from any mental disorders, defects or diseases that would impair his or her ability to safely possess or use a firearm.
- (E) Reside or maintain a principal place of business within the confines of the five- (5) western towns of Suffolk County (Babylon, Huntington, Islip, Smithtown and Brookhaven).
- (F) Be an applicant concerning whom no good cause exists for the denial of such license.
- (G) Be at least twenty-one years of age or older, provided, however, that where such applicant has been honorably discharged from the United States Army, Navy, Marine Corps, Air Force or Coast Guard, or the National Guard of the State of New York, no such age restriction shall apply.
- (H) Who has not had a license revoked or who is not under a suspension or ineligibility order issued pursuant to the provisions of section 530.14 of the criminal procedure law or section 842(a) of the family court act.
- (I) Anyone who has not been convicted of a misdemeanor crime of domestic violence.

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(a) Applications shall be made and renewed, in the case of a license to carry or possess a pistol or revolver, to the licensing officer in the city or county, as the case may be, where the applicant resides, is principally employed or has his principal place of business as merchant or storekeeper; and, in the case of a license as

gunsmith or dealer in firearms, to the licensing officer where such place of business is located. Blank applications shall, except in the city of New York, be approved as to form by the superintendent of state police. An application shall state the full name, date of birth, residence, present occupation of each person or individual signing the same, whether or not he is a citizen of the United States, whether or not he complies with each requirement for eligibility specified in subdivision one of this section and such other facts as may be required to show the good character, competency and integrity of each person or individual signing the application. An application shall be signed and verified by the applicant. Each individual signing an application shall submit one photograph of himself and a duplicate for each required copy of the application. Such photographs shall have been taken within thirty days prior to filing the application.

## Non-Resident Permits

### NY Penal Code 400

**3. Applications.** (a) Applications shall be made and renewed, in the case of a license to carry or possess a pistol or revolver, to the licensing officer in the city or county, as the case may be, where the applicant resides, is principally employed or has his principal place of business as merchant or storekeeper; and, in the case of a license as gunsmith or dealer in firearms, to the licensing officer where such place of business is located.

The United States Court of Appeals for the Second Circuit ruled on October 15, 2013 that a person who lived part time in New York could obtain a permit to purchase/possess firearms. I am not sure if this would also allow them to get a permit/license to Carry. You can read the decision [Here](#) or go to the AG Opinions/Court Case Section for the decision.

**Note:** The News Media published a map of NY Permit holders from Westchester and Rockland counties on 12/22/12. They filed a Freedom of Information request for Permits issued in those counties. NY State Permits issued by those counties had addresses listed on the permit for people living in CT, NJ, NC, VA, FL and TX. These people most likely have a business in NY but issue to non-residents seems certain. If you apply you would follow the same procedures as a resident. (See Resident Permit Section)

## Places Off-Limits Even With A Permit/License

- Firearms (other than carried by peace officers and federal officers) are NOT permitted in courthouses under the rules of the NYS Office of Court Administration, which have the force and effect of law. Federal law bans firearms in federal courthouses and US attorney offices, except for law enforcement personnel on official business.
- Certain cities and all counties may, under home rule options, ban firearms from their governmental buildings.
- He knowingly has in his possession a rifle, shotgun or firearm in or upon a building or grounds, used for educational purposes, of any school, college or university, except the forestry lands, wherever located, owned and maintained by the State University of New York college of environmental science and forestry, without the written authorization of such educational institution; [§265.01a](#)

### [§400.00](#)

All Permits shall be effective throughout the state, except that the same shall not be valid within the city of New York unless a special permit granting validity is issued by the police commissioner of that city.

### § 265.03 Criminal Possession of a Weapon in The Second Degree.

A person is guilty of criminal possession of a weapon in the second degree when:

- (1) with intent to use the same unlawfully against another, such person:
  - (a) possesses a machine-gun; or
  - (b) possesses a loaded firearm; or
  - (c) possesses a disguised gun; or
- (2) such person possesses five or more firearms; or
- (3) such person possesses any loaded firearm. Such possession shall not, except as provided in subdivision one or seven of section 265.02 of this article, constitute a violation of this subdivision if such possession takes place in such person's home or place of business. Criminal possession of a weapon in the second degree is a class C felony.

- At any facility of the New York Department of Mental Hygiene, or any residential facility that has an operating certificate issued by the Department ([N.Y. Comp. Codes R. & Regs. tit. 14, § 45.1](#)); or
- At any facility operated or licensed by the Office of Mental Health of the Department of Mental Hygiene ([N.Y. Comp. Codes R. & Regs. tit. 14, § 542.5\(a\)](#)).

**Note:** The United States Court of Appeals For the Third Circuit has ruled that Section 926A of Title 18 of the United States Code only protects those traveling by vehicle and does not cover a person transporting a firearm through an airport terminal to board an aircraft with an unloaded secured firearm in a locked box to be declared and in checked baggage to the airline. See Court ruling [Here](#).

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For Federal Restrictions on Firearms see the [USA Page](#).

### **Transporting Firearms Through New York**

The best way to travel through NY or any state that has restriction is to carry a copy of Title 18-Part 1-Chapter 44 926A of the federal code with you. Some law enforcement may not know the law. DO keep the firearm in a locked box. Keep ammo in another locked box. No ammo in Magazines or speed loaders in the trunk or if no trunk as far back in the vehicle as possible in a locked box. By NY Law if you are traveling across the state and can legally possess the firearm where you started and where you are going you can transport it as above. But if you stop in NY and spend the night in a motel/hotel/camp ground etc you are in violation of NY law and can be arrested if found with a firearm. Stopping for gas and food would most likely be OK but this is not a given in NY.

## **United States Code Title 18 - Part I - Chapter 44**

### **§ 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.

## State Lands Off Limits

### Dept of Environmental Conservation Regulations Chapter II - Lands and Forests

#### §190.7 Public Campgrounds

a. *Applicability.* The following sections of this Part apply to persons using public campgrounds under the jurisdiction of the department unless specified otherwise in this section: 190.0, 190.1, 190.2, 190.8 and 190.9. The following additional requirements apply to public campgrounds and in the event of a conflict, these specific regulations will control:

3. Firearms may be possessed on the public campground only during the spring and fall hunting seasons. Unless otherwise posted, no discharge of firearms is permitted.

c. At Lake George Battlefield Park, the following additional regulations apply:

1. Hunting, trapping or possessing firearms on any portion of the Lake George Battlefield Park is prohibited at all times.

#### §190.25 Zoar Valley Multiple Use Area

e. No person, other than employees of the department, State Police and police officers, shall possess, carry, discharge or use firearms, ammunition, explosives or explosive substances or fireworks on the area, except that during the small game and big game hunting seasons, provided for by law, firearms and bows and arrows may be possessed and discharged.

#### §190.28 Foot Trail Easements--Adirondack Mountain Reserve

##### c. Prohibitions.

1. No person shall enter upon trails 1 through 24 located on the Adirondack Mountain Reserve for purposes other than access to and egress from adjacent State-owned lands or hiking on these trails.

2. No person shall carry firearms on Adirondack Mountain Reserve foot trail easements except at such times and on such trails as are hereinafter specified.

3. No person shall carry a firearm or be accompanied by a person carrying a firearm under any circumstances when using Trails 2, 4, 5, 7, 11, 12, 13, 14, 15, 18, 19, 20 and 21.

4. No person shall carry a firearm or be accompanied by a person carrying a firearm when using Trail 1, 3, 6, 8, 9, 10, 16, 17, 22, 23 or 24 except during such part of the annual Big Game and Small Game Seasons in the Northern Zone as shall occur from October 15th through December 15th and from January 15th through March 15th.

5. No person shall carry a firearm when otherwise permitted unless said firearm is unloaded and either securely fastened in a case or taken down as defined in section 180.3 of this Title.

**Note:** These are the only areas I can find that have specific laws that say you can't possess a firearm. There are most likely other areas that the Dept of Environmental Conservation controls that may have regulations that state No Firearms. Do use caution on any property controlled by the DEC.

## Do “No Gun Signs” Have the Force of Law?

“?????”

We are unable to determine if “No Gun” signs have the force of law in New York. Until we get more information Handgunlaw.us believes you should treat every “No Gun” sign on any private business as having the force of law.

**Note:** Handgunlaw.us believes when you come across a business that is posted that you not just walk away. That business needs to know that they lost your business because of their “No Gun” sign. Giving them a “No Firearms = No Money” card would do just that. You can print free “No Firearms = No Money” cards by going [Here](#).

## Must Inform Officer Immediately on Contact By Law?

“NO”

### Penal Code § 400.00

**8.** License: exhibition and display. Every licensee while carrying a pistol or revolver shall have on his or her person a license to carry the same. Every person licensed to possess a pistol or revolver on particular premises shall have the license for the same on such premises. Upon demand, the license shall be exhibited for inspection to any peace officer, who is acting pursuant to his or her special duties, or police officer.

## Carry In State Parks/State & National Forests/WMA/Road Side Rest Areas

### Carry Allowed in these Areas:

**State Parks:** **NO** In Some Areas. See [Section 190](#) for Details NY DEC Rules & Regulations

**State/National Forests** **NO** In Some Areas. See [Section 190](#) for Details NY DEC Rules & Regulations

**WMA's:** **NO** In Some Areas. See [Section 190](#) for Details NY DEC Rules & Regulations

**Road Side Rest Areas/Scenic Overlooks:** **NO** 17 CRR-NY 156.12

## RV/Car Carry Without A Permit/License

It is illegal to carry any loaded firearm in any motor vehicle without a valid New York Permit/License to Carry. It is legal to transport a legal firearm through New York but if you interrupt your trip you are breaking the law. What is an interruption to your trip could be for the jury to decide. (See transporting firearms thru NY above) NY also has restrictions on the type of firearms you can possess in NY and Magazines that hold more than 10 rounds or can be converted to hold more than 10 rounds are illegal. Use extreme caution when transporting a firearm through NY.

### From the NRA/ILA on Transporting Firearms through NY.

It is unlawful for any person to carry, possess or transport a handgun in or through the state unless he has a valid New York license. (A provision of federal law provides a defense to state or local laws which would prohibit the passage of persons with firearms in interstate travel if the person is traveling from any place where he may lawfully possess and transport a firearm to any other place where he may lawfully possess and

transport such firearm and the firearm is unloaded and in the trunk. In vehicles without a trunk, the unloaded firearm shall be in a locked container other than the glove compartment or console).

## Open Carry (Without A Valid Permit/License)

To carry any firearm in New York a person must have a New York Permit/License. The open carrying of a firearm would most likely get your permit/license to carry revoked.

## State Preemption

### § 400.00 Licenses To Carry, Possess, Repair and Dispose of Firearms.

**6.** License: validity. Any license issued pursuant to this section shall be valid notwithstanding the provisions of any local law or ordinance. No license shall be transferable to any other person or premises. A license to carry or possess a pistol or revolver, not otherwise limited as to place or time of possession, shall be effective throughout the state, except that the same shall not be valid within the city of New York unless a special permit granting validity is issued by the police commissioner of that city. Such license to carry or possess shall be valid within the city of New York in the absence of a permit issued by the police commissioner of that city, provided that

**(a)** the firearms covered by such license have been purchased from a licensed dealer within the city of New York and are being transported out of said city forthwith and immediately from said dealer by the licensee in a locked container during a continuous and uninterrupted trip; or provided that

**(b)** the firearms covered by such license are being transported by the licensee in a locked container and the trip through the city of New York is continuous and uninterrupted; or provided that

**(c)** the firearms covered by such license are carried by armored car security guards transporting money or other valuables, in, to, or from motor vehicles commonly known as armored cars, during the course of their employment; or provided that

**(d)** the licensee is a retired police officer as police officer is defined pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law or a retired federal law enforcement officer, as defined in section 2.15 of the criminal procedure law, who has been issued a license by an authorized licensing officer as defined in subdivision ten of section 265.00 of this chapter; provided, further, however, that if such license was not issued in the city of New York it must be marked "Retired Police Officer" or "Retired Federal Law Enforcement Officer", as the case may be, and, in the case of a retired officer the license shall be deemed to permit only police or federal law enforcement regulations weapons; or provided that

**(e)** the licensee is a peace officer described in subdivision four of section 2.10 of the criminal procedure law and the license, if issued by other than the city of New York, is marked "New York State Tax Department Peace Officer" and in such case the exemption shall apply only to the firearm issued to such licensee by the department of taxation and finance. A license as gunsmith or dealer in firearms shall not be valid outside the city or county, as the case may be, where issued.

## Deadly Force Laws

### Penal Part 1

#### Title C – Defenses:

#### Article 35 - Defense of Justification

**35.00** - Justification; a defense.

**35.05** - Justification; generally.

**35.10** - Justification; use of physical force generally.

**35.15** - Justification; use of physical force in defense of a person.

**35.20** - Justification; use of physical force in defense of premises and in defense of a person in the course of burglary.

**35.25** - Justification; use of physical force to prevent or terminate larceny or criminal mischief.

**35.27** - Justification; use of physical force in resisting arrest prohibited.

**35.30** - Justification; use of physical force in making an arrest or in preventing an escape.

## Knife Laws State/Cities

To access State/Local Knife Laws Click [“Here”](#)

## Carry in Restaurants That Serve Alcohol

**YES**

**Note:** A “YES” above means you can carry into places like described below. “NO” means you can't. Handgunlaw.us definition of “Restaurant Carry” is carry in a restaurant that serves alcohol. Places like Friday's. Chili's or Red Lobster. This may or may not mean the bar or the bar area of a restaurant. But you can carry your firearm into a restaurant that serves alcohol and sit and eat without consuming. Handgunlaw.us recommends you not sit at the Bar or in the Bar area of such restaurants. In some states it is illegal to be in the Bar area of such restaurants. Handgunlaw.us believes you should never consume alcohol when carrying your firearm. In some states it is illegal to take even one drink while carrying a firearm. If you want further info on carrying in places that serve alcohol check your state laws.

## Chemical Sprays/Stun Gun/Higher Capacity Magazine Laws

**Notice:** The United States District Court Western District of New York on 12/31/13 struck down the law that only 7 rounds could be loaded in a magazine in New York. The Court also upheld other parts of the SAFE Act. Both sides are expected to appeal and a Stay could be ask for and granted until the Appeals Court rules. A stay could put the 7 round limit back on the books. Things are very fluid now and things could change very quickly one way or the other. Until this is settled in the Courts use caution. You can read the ruling [Here](#).

New York State Police [Guide to the Safe Act](#)

## Large Capacity Ammunition Feeding Device

**400.00**

23. "Large capacity ammunition feeding device" means a magazine, belt, drum, feed strip, or similar device, that

- (A) Has a capacity of, or that can be readily restored or converted to accept, more than ten rounds of ammunition, OR
- (B) Contains more than seven rounds of ammunition, or
- (C) Is obtained after the effective date of the chapter of the Laws of two thousand thirteen which amended this subdivision and has a Capacity of, or that can be readily restored or converted to accept, More than ten rounds of ammunition; provided, however, that such term Does not include



an attached tubular device designed to accept, and Capable of operating only with, .22 caliber rimfire ammunition or a Feeding device that is a curio or relic.

**Q: How many rounds can I put in my magazine today? (From NYS [FAQ's](#))**

A: Starting on April 15, 2013, you are limited to putting in seven rounds, unless you are at an incorporated firing range or competition recognized by the National Rifle Association or International Handgun Metallic Silhouette Association, in which case the limit is ten.

**Note:** This is a new Law just passed 1/15/13. All Mags that hold over 10 rounds are banned. 10 round mags can be bought, sold and possessed but they can't be loaded with more than 7 rounds. Previously the state was going to ban the sale of any mag that held over 7 rounds. That part of the law was put on permanent hold and 10 round mags are legal. The Governor signed an exemption for Retired Officers but from my reading it only applies to retired NY Police Officers. Those carrying under LEOSA from other states would be limited to 7 rounds in a mag that will hold no more than 10.

**Stun Devices/Electric Weapons.**

**§ 265.01 Stun Devices and Electric Weapons are Illegal in New York State.**

**Administrative Code 10-135 Stun Devices and Electric Weapons are Illegal in New York City.**

**Chemical Sprays:**

**Section 265.20 (14) and (15)** The possession of “self-defense sprays” by persons who are not felons or who have been convicted of an assault, 18 or over for the protection of person or property and its otherwise lawful use is legal. “Self-defense spray” is defined as “a pocket sized spray device which contains and releases a chemical or organic substance which is intended to produce temporary physical discomfort or disability through being vaporized or otherwise dispensed in the air or any like device containing tear gas, pepper spray or similar disabling agent”. There are certain labeling requirements. Sales require both a seller's license and the completion by a purchaser of a registration form. New York residents may only purchase defense sprays from licensed Firearms Dealers or licensed Pharmacists in that state. No more than two sprays may be sold at any one time to a single purchaser.

**LEOSA State Information**

[New York City - LEOSA Ruling](#)

[NY Ct Case LEOSA & U.S. Coast Guard](#)

**Attorney General Opinions/Court Cases**

- [US Court of Appeals Ruling - NY Restrictions on Issuing Legal](#)
- [US Court of Appeals Ruling – NY Part Time Residence Can Get Firearms Permits](#)

**Airport Carry/Misc. Information**

**Airport Carry:** No Laws found. NYC is known to arrest anyone with a firearm traveling through the New York Airports. Even trying to board an airplane with a properly cased and declared

firearm can get you arrested. See [“Letter”](#) from the United States Attorney General on the application of United States Code **Title 18 - Part I - Chapter 44 § 926A**, on the Interstate transportation of firearms. This should be straightened out but never forget they can arrest you any time and give you your day in court.

**Training Valid for:** No set time period.

**Time Period to Establish Residency:** Some counties say 6 months.

**Minimum Age for Permit/License:** 21 (18 for Honorably Discharged Vets)

**Permit/License Info Public Information:** **YES** NY law allows permit holders to fill out an “opt-out” privacy form to keep their information private. You must request the form and fill it out to keep your info private. Contact your issuing authority to obtain a form.

**State Fire arm Laws:** Penal Code 400.00 thru 400.10

**State Deadly Force Laws:** Penal Code 35.00 thru 35.30

**State Knife Laws:** 265.00 &.265.01 - 265.04. - 265.10 - 265.15

**Chemical/Electric Weapons Laws:** PC 265.01& 265.20 (14) (15)

**Body Armor Laws:** PC 270.20

**Does Your Permit Cover Other Weapons Besides Firearms?** **NO** 400.00

**Is carrying of a Concealed Firearm with Permit/License for Defensive Purposes Only While Hunting Legal?** **YES** In Most Instances but See [Regulations](#)

## Notes

### What Does NY Consider A Loaded Firearm?

N.Y. Pen. Law [§ 265.00](#) : NY Code - Section 265.00: Definitions

15. "Loaded firearm" means any firearm loaded with ammunition or any firearm which is possessed by one who, at the same time, possesses a quantity of ammunition which may be used to discharge such firearm.

### State Emergency Powers

#### [Article 4](#)

#### [Powers Of Agencies](#) (Edited for Space Considerations)

**Section 40.** Powers of certain state officers and agencies.

41. Waiver of type, weight and size limitations for certain vehicles.

42. Contracts for research work in health matters related to the defense emergency.

43. Emergency health and sanitation areas.

44. Emergency measures to protect milk supply.

46. Production and sale of prison-made articles and materials essential to the defense effort.

§ 40. Powers of certain state officers and agencies. Notwithstanding the provisions of any law, for the purpose of providing during the defense emergency (a) for unanticipated or emergency needs for the

protection of the safety and health of the people of the state in the event of attack, or (b) for the mobilization and efficient utilization of all of the resources and facilities in the state in aid of the defense effort, or (c) for the orderly conduct of public or private affairs in a manner consistent with the requirements of the defense effort, the following officers or agencies of the state shall have power to take action or to adopt, promulgate and make effective plans, regulations or orders, consistent with the provisions of this act and with any actions taken or plans, regulations or orders adopted and promulgated by the council, with respect to the following matters:

3. The industrial commissioner shall have such power with respect to safety and record of manufacture, sale, possession, use or ownership of fireworks or explosives and the manufacture and transportation of firearms, but such powers shall not apply to the personal possession, use or ownership of firearms and ammunition therefor.

## **Article 6**

### **Closing or Restricting Use of Highways; Posting of Property**

#### **Section 80. Definitions.**

81. Petition to close or restrict use of travel upon highways or to post property.

82. Order of commissioner closing or restricting use of highways.

83. Authority to post.

84. Violations; penalty.

85. Powers of peace officers.

86. Construction.

§ 80. Definitions. As used in this article the following terms shall mean and include:

1. "Highway." Any private or public highway, street, way, waterway, or other place used for travel.

2. "Commissioner." The state commissioner of transportation.

§ 81. Petition to close or restrict use of travel upon highways or to post property.

(a) Any agency of the United States engaged in or concerned with the defense effort,

(b) any agency of the state,

(c) the chief executive officer or the governing body of any political subdivision of the state or

(d) an individual, partnership, association or corporation using or preparing to use real property in connection with the operation of a public utility, an airport, a dock, or a wharf, or the manufacture, transportation, distribution or storage of explosives, firearms, inflammable liquids, gas, oil, coal, electricity, water or any product to be used in the defense effort by this state, of any state of the United States, or a political subdivision, by the United States or any associated power thereof, may petition the commissioner for an order to close or to direct the appropriate official or body to close to public use and travel and to restrict public use and travel upon, any highway or part thereof or to post property, on which such use and travel or entrance by the general public is deemed dangerous to the public safety and security or to the defense effort, or to the safety of property of the petitioner.

**Note:** Federal Law can apply if the state is receiving monetary and/or other assistance from the Federal Government. See [US Code 42-5207](#) for Federal Law as it applies to States of Emergencies. The state quoted code may also not be all of the law on Emergency Powers held by the state. You should read the entire code on Emergency Powers etc for this state by following the link to the state code.

#### **Minimum Age for Possessing and Transporting of Handguns.**

**New York 21 Y/O Penal Code, Part 4 title W, § 400.00**

This is the minimum age for possessing and transporting a handgun unloaded and secured in a vehicle

without any type of permit/license to carry firearms.

Some states (and counties) require Firearms Identification Cards, and/or registration.

**Note:** In some states Possession and Transportation CAN be very restrictive in that you can ONLY possess and transport a handgun to and from a Shooting Range, Gun Shop, property you own or other places you can legally possess a handgun. Some states do not have this restriction.

This is not the last word on possession and transporting of handguns in this, or any other state. Study your state law further for more information. See “RV/Car Carry” Section Above for more information.

## Permit/License Image

NY Local Officials issue Permit/Licenses. The format can vary from County to County.

The image displays three examples of New York State permit/licenses. The first is the front of a permit, the second is the back, and the third is a full license card for Gary J. Slider.

**Permit Front:** UNREGISTERED, STATE OF NEW YORK, LICENSE TO CARRY PISTOL IS HEREBY GRANTED. Fields include Date, County, To, Address, Occupation, Employed by, Nationality, Age, Height, Weight, and County Court.

**Permit Back:** SIGNATURE OF HOLDER, This license is issued under the following conditions: 1. It is revocable at any time. 2. If issued outside of New York City, not valid to carry a weapon in New York City unless approved by the police commissioner of that city. Fields include Sex, Color, Eyes, Hair, and Turn or Aids.

**License Card:** License No.: 085007, STATE OF NEW YORK COUNTY OF WESTCHESTER, SLIDER GARY JAY, 455 Maple Ave, Somers, NY 10589, Occupation: EMT, Employer: County of Westchester, D.O.B.: 11/16/1988, Nationality: USA, Height: 5'10", Weight: 190, Full Carry, NICS CERTIFIED, Issue Date: 11/16/2010, Recertify Date: 11/16/2012, Signature of Gary J. Slider, County Judge of Westchester. A table lists authorized firearms: S&W 3814 9mm SW28756, Kimber CDP 45 ACP K21001, Beretta 84 380 B239902, and S&W 66 357 SW20346. A fingerprint is also shown.

## [Additional NY Permit/License Images](#)

## Updates to this Page

- 10/26/12 - Minimum Age for Possessing/Transporting a Handgun Added to Notes Section.
- 11/30/12 – US Appeals Ct Ruling Added to AG/Court Cases Section.
- 1/2/13 – Note Updated in Non-Resident Permit Section. All Links Checked.
- 1/16/13 – Note along with New Mag Information added to Chem Spray/Elec Weapon/Mag Bans Section.
- 1/19/13 – Note added to “How to Apply Section on New Law Making all Lifetime Permits valid for only 5 years. Link to SAFE Act FAQ’s Added.
- 1/25/13 – FAQ Added to Chem Spray/Stun Gun/Higher Cap Mag Section.
- 2/28/13 – Opt Out info added to Is Permit/License Info Public Information.
- 3/29/13 – Stun Guns/Hi Cap Mag Section updated to show that 10 round mags can still be possessed/purchased/sold in NY. All Links Checked and Repaired if Required.
- 4/22/13 Note on Page 2 Updated With Better Wording to Better Convey its Meaning.
- 5/31/13 – Open Carry Section Added.
- 7/1/13 – Kansas Now Honors New York.
- 7/12/13 – Addition to Note Under Chem/Electric Weapons/Mag Bans Section about Out of State Officers Carrying under LEOSA most likely have to follow the mag bans and can only load 7 rounds in their mag.
- 7/25/13 – Code for Chemical Sprays was in error. 265.25 was changed to 265.20.
- 8/1/13 – Alabama Now Honors New York.
- 8/16/13 – Arkansas Now Honors New York.
- 9/7/13 – All Links Checked.
- 9/20/13 – Note on Transporting Firearms through Airports added to Off Limits Section. Guide to the NY State Police on the Safe Act added to Chem Sprays/Stun Gun/Higher Cap Mag Section.
- 10/18/13 – Court Ruling on Part Time Residents able to Apply for Gun Permits added to AG Opinions/Ct Case Section. Wording added about decision to Non Resident Permit Section.
- 10/28/13 – Age for Honorably Discharged Vets is 18 added to Airport/Misc Section.
- 1/3/14 – Notice added to Chem Sprays/Stun Guns/Higher Cap Mag Section on Court Ruling.