

# New Jersey

May Issue

Must Inform Officer: **NO**

## Links

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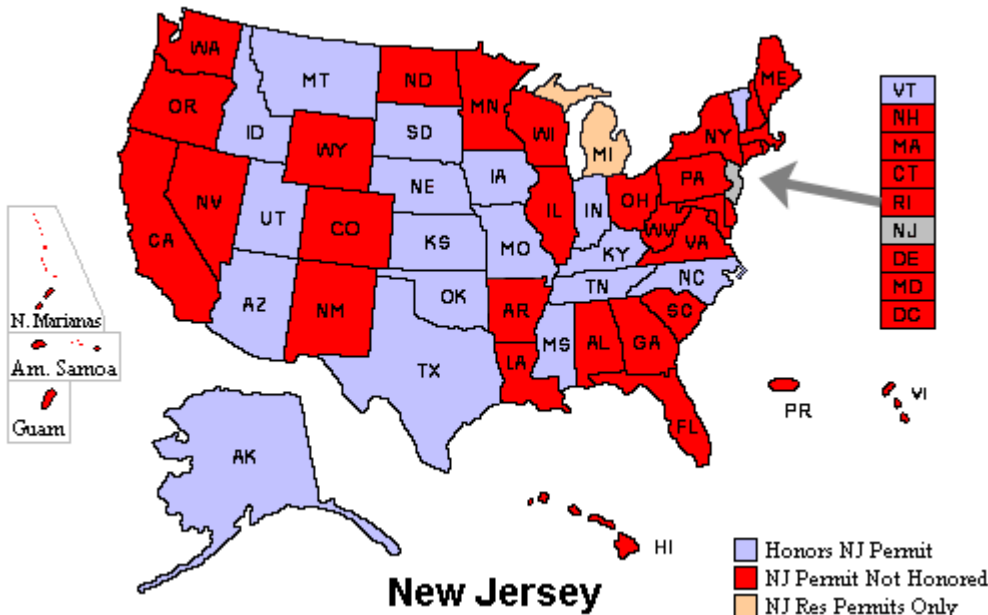
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Last Updated: 3/29/13



## Permits/Licenses This State Honors

New Jersey does not honor any other states Permit/Licenses.

## How to Apply for A Permit

Application must be delivered, in triplicate, to the Chief of Police of the municipality wherein you reside, or to the Superintendent of State Police in all other cases. A money order in the amount of \$20.00 payable to State of New Jersey must accompany this application.

Answer all questions. If more space is needed, attach bond paper. Page two must be completed. Four photographs of the applicant, one and one-half inch square, head and shoulders, no hat, light background, taken within the last 30 days must accompany this application.

So fill out the application you can print out online and take it to your local police. Cost is \$20 and the Permit/License is valid for 2 years. You can find forms and information [Here](#).

From all that I have heard it is very difficult to get a NJ Permit to Carry.

## Non-Resident Permits

Out of state residents must apply to the New Jersey State Police station nearest to their geographic location. Armored car employees must apply with the New Jersey State Police, regardless of where they reside.

[New Jersey Code](#) The Gun laws in the New Jersey code can be found in Chapters 39 and 58. New Jersey laws are very difficult to search though and putting direct links to their laws is not possible. You can check the New Jersey Administrative Code as it pertains to firearms. [13-54](#).

**Note:** Also see Resident section.

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

### 2C:39-5

In or upon any part of the buildings or grounds of any school, college, university or other educational institution or on any school bus.

### N.J.A.C. 19:45-1.13 Firearms; Possession Within Casino or Casino Simulcasting Facility

(a) No person, including the security department members, shall possess or be permitted to possess any pistol or firearm within a casino or casino simulcasting facility without the express written approval of the Commission provided that employees and agents of the Division may possess such pistols or firearms at the discretion of the director of the Division.

(b) To obtain approval for the possession of a pistol or firearm within a casino or casino simulcasting facility, a person shall be required to demonstrate that:

1. He has received an adequate course of training in the possession and use of such pistol or firearm;
2. He is the holder of a valid license for the possession of such pistol or firearm; and
3. There is a compelling need for the possession of such pistol or firearm within the casino or casino simulcasting facility.

(c) Each casino licensee shall cause to be posted in a conspicuous location at each entrance to the casino and casino simulcasting facility a sign that may be easily read stating:

"By law, no person shall possess any pistol or firearm within the casino or casino simulcasting facility without the express written permission of the Casino Control Commission."

Effective: 05/25/78 As amended, effective: 01/19/93

### **Possession and Transportation of Hollow Point Ammo In NJ**

Provided certain conditions are met, a sportsman may transport and use hollow point ammunition. There are no restrictions preventing a sportsman from keeping such ammunition at his home.

**N.J.S.A 2C:39-3f(1)** limits the possession of hollow nose ammunition. However, there is a general exception that allows for the purchase of this ammunition but restricts the possession of it to specified locations. This exception provides that:

(2) Nothing in sub section f (1) shall be construed to prevent a person from keeping such ammunition at his dwelling, premises or other land owned or possessed by him, or from carrying such ammunition from the place of purchase to said dwelling or land . . . [**N.J.S.A 26:39-3g (2)**].

Thus a person may purchase this ammunition and keep it within the confines of his property. Sub section f (1) further exempts from the prohibited possession of hollow nose ammunition "persons engaged in activities pursuant to **N.J.S.A 2C:39-6f**. . . ."

**N.J.S.A 26:39-3f. (1)**.

Activities contained in **N.J.S.A 26:39-6f**. can be broken down as follows:

1. A member of a rifle or pistol club organized under rules of the National Board for the Promotion of Rifle Practice and which filed its charter with the State Police;
2. A person engaged in hunting or target practice with a firearm legal for hunting in this State;

3. A person going directly to a target range, and;
4. A person going directly to an authorized place for "practice, match, target, trap or skeet shooting exhibitions."

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As with other ammunition and firearms, a sportsman would have to comply with the provisions of **N.J.S.A 2C:39-6f and g** when transporting hollow nose ammunition to a target range. The ammunition should be stored in a closed and fastened container or locked in the trunk of the motor vehicle in which it is being transported. The course of travel should be as direct as possible when going to and leaving from the target range with "only such deviations as are reasonably necessary under the circumstances." **N.J.S.A 2C:39-6g**.

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No person under the age of 18 shall purchase, barter or otherwise acquire a firearm, and no person under the age of 21 shall purchase, barter or otherwise acquire a handgun (unless the person is authorized to possess a handgun in connection with the performance of official duties per N.J. Rev. Stat. § 2C:39-6). Section 2C:58-6.1a.

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

### 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 Jersey. 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](#).

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

**Carry Allowed in these Areas:**

**State Parks: NO 7:2-2.17**

**State/National Forests: YES**

**WMA's: YES**

**Road Side Rest Areas: YES**

### RV/Car Carry Without A Permit/License

It is illegal to have any loaded firearm inside any vehicle in New Jersey without a valid Permit/License. (See Places off Limits about ammo specifications). I would not take a firearm into NJ unless I was very familiar with all their firearm laws.

## Here is what the NRA says about New Jersey.

New Jersey has highly restrictive firearms laws. The New Jersey Supreme Court has ruled that anyone traveling within the state is deemed to be aware of these regulations and will be held strictly accountable for violations. (End NRA Statement)

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New Jersey Law also states that before possessing or transporting any rifle or shotgun without first having obtained a New Jersey firearms purchaser identification card (FPIC), or possessing or transporting any handgun without first having obtained a New Jersey handgun carry permit is a violation of their law.

You can transport it from place of purchase to home. Home to a Certified Shooting Range. Going hunting but must have a valid hunting license. You just can't have it in your vehicle. Again the law says you must have a FPIC or NJ Carry Permit to even transport firearms in NJ. From all I read and have heard someone from outside NJ must have a very good reason to transport a firearm into NJ and better have the proper paperwork.

### So Called Assault Weapons in New Jersey

- More than 50 specified firearms or their copies (§ 2C:39-1w(1), (2));
- A semi-automatic shotgun with either a magazine capacity exceeding six rounds, a pistol grip, or a folding stock (§ 2C:39-1w(3));
- A semi-automatic rifle with a fixed magazine capacity exceeding 15 rounds (§ 2C:39-1w(4)); and
- A part or combination of parts designed or intended to convert a firearm into an assault firearm, or any combination of parts from which an assault firearm may be readily assembled if those parts are in the possession or under the control of the same person (§ 2C:39-1w(5)).

### From the New Jersey State Police

#### All firearms transported through the State of New Jersey:

The following guidelines are provided in order to assist law enforcement officers in applying New Jersey's firearms laws to persons who are transporting firearms **through** the State of New Jersey.

- I. New Jersey laws governing firearms permits, purchaser identification cards, registration and licenses do not apply to a person who is transporting the firearm through this State if that person is transporting the firearm in a manner permitted by federal law, [18 U.S.C.A. 926A](#).
- II. This federal law permitting interstate transportation of a firearm applies only if all of the following requirements are met:
  - A. The person's possession of the firearm was lawful in the state in which the journey began;
  - B. The person's possession of the firearm will be lawful in the state in which the journey will end;
  - C. The person is transporting the firearm for lawful purpose
  - D. The firearm is unloaded
  - E. The firearm is not directly accessible from the passenger compartment of the vehicle
  - F. The ammunition is not directly accessible from the passenger compartment of the vehicle

- G.** If the vehicle does not have a compartment separate from the passenger compartment, the firearm and ammunition must be in a locked container other than the vehicle's glove compartment or console;
  - H.** The person is not
    - 1. a convicted felon
    - 2. a fugitive from justice an addict or unlawful user of drugs, or
    - 3. an illegal alien
  - I** The person has not
    - 1. been adjudicated to be a mental defective
    - 2. been committed to a mental institution
    - 3. been dishonorably discharged from the armed forces, or
    - 4. renounced his United States Citizenship
- III.** A person who is transporting a firearm though the State of New Jersey in the manner permitted by person's possession 18 **U.S.C.A.** 926A, see Section II above, need not give notice.
- IV.** Procedures for Investigation of Conduct Involving the Possession or Transportation of Firearms
- A.** An officer who reasonably suspects that a person is transporting a firearm in violation of New Jersey law should make reasonable inquiries in order to confirm or dispel that suspicion.
  - B.** In a case where circumstances reasonably indicate that the person's possession and transportation of the firearms may be permitted by 18 **U.S.C.A.** 926A, the officer should make reasonable inquiries in order to determine whether the person's possession is permitted by that federal law.
  - C.** If reasonable inquiries lead an officer to conclude that the person's possession is lawful under either New Jersey law or 18 **U.S.C.A.** 926A, as described above in Section II, the officer should promptly allow the person to proceed.
  - D.** Whenever an officer has probable cause to believe that a person's possession of a firearm is in violation of New Jersey law and not permitted by 18 **U.S.C.A.** 926A, as described above in Section II, then the officer should make an arrest.

## State Preemption

### **Article 4, § VII, par. 11 Of The New Jersey State Constitution Confers Broad Powers On Municipalities And Counties:**

The provisions of this Constitution and of any law concerning municipal corporations formed for local government, or concerning counties, shall be liberally construed in their favor. The powers of counties and such municipal corporations shall include not only those granted in express terms but also those of necessary or fair implication, or incident to the powers expressly conferred, or essential thereto, and not inconsistent with or prohibited by this Constitution or by law.

State statutes treat municipalities and counties differently in terms of their local regulatory authority, however.

**A. Municipal Regulatory Authority** New Jersey explicitly authorizes municipalities (defined to include cities, towns, townships, villages and boroughs, but not counties) to "regulate and prohibit the sale and use of guns, pistols, firearms, and fireworks of all descriptions." N.J. Rev. Stat. § 40:48-1, subdivision 18 ("section

40:48-1(18)"). Municipalities may also enact ordinances, regulations, rules and by-laws that are consistent with state and federal law for, *inter alia*, the "preservation of the public health, safety and welfare of the municipality and its inhabitants." Section 40:48-2. Municipalities are described under state law as broad repositories "of local police power in terms of the right and power to legislate for the general health, safety and welfare of their residents." Section 40:41A-28.

## Deadly Force Laws

### New Jersey Permanent Statutes Title 2C The New Jersey Code of Criminal Justice

#### **2C:3-1. Justification an Affirmative Defense; Civil Remedies Unaffected**

**2C:3-2.** Necessity and other justifications in general

**2C:3-3.** Execution of public duty

**2C:3-4** Use of force in self-protection.

**2C:3-5.** Use of force for the protection of other persons

**2C:3-6.** Use of force in defense of premises or personal property

**2C:3-7.** Use of force in law enforcement

**2C:3-8.** Use of force by persons with special responsibility for care, discipline or safety of others

**2C:3-9.** Mistake of law as to unlawfulness of force or legality of arrest; reckless or negligent use of excessive but otherwise justifiable force; reckless or negligent injury or risk of injury to innocent persons

**2C:3-10.** Justification in property crimes

## 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

### Large Capacity Feeding Devices:

New Jersey prohibits the manufacture, transport, shipment, sale or disposal of large capacity ammunition magazines, unless the magazine is intended to be used for authorized military or law enforcement purposes. N.J. Rev. Stat § 2C:39-9h. New Jersey law defines "large capacity ammunition magazine" as a box, drum,

tube or other container which is capable of holding more than 15 rounds of ammunition to be fed continuously and directly into a semi-automatic firearm. Section 2C:39-1y.

### **Stun Devices/Electric Weapons:**

**2C:39-3. Stun Devices/Electric Weapons are Illegal in New Jersey.**

### **Chemical Sprays:**

**2C:39-6i** Any non-felon 18 or over may possess for the purpose of self-defense “one pocket-sized device which contains and releases not more than three-quarters of an ounce of chemical substance not ordinarily capable of lethal use or of inflicting serious bodily injury, but rather is intended to produce temporary physical discomfort or disability through being vaporized or otherwise dispensed in the air”.

## **LEOSA State Information**

[Memorandum from NJ AG on LEOSA](#)

[New Jersey Retired Right to Carry](#)

[Retired LEO Permit To Carry A Handgun](#) (Application Instructions, Renewal Application.)

[New Jersey LEOSA From NJ State Police](#)

## **Attorney General Opinions/Court Cases**

Handgunlaw.us can find no AG Opinions or Court Cases concerning the carrying of firearms. This does not mean there are no AG Opinions or Court Cases. We could just not find any.

## **Airport Carry/Misc. Information**

**Airport Carry:** No laws found.

**Training Valid for:** No Set Time Period

**Time Period to Establish Residency:** No Time Period Specified.

**Minimum Age for Permit/License:** 21

**Permit/License Info Public Information:** NO

**State Fire arm Laws:** 2C-58-1 thru 2C-58-18 & 2C:39-5

**State Deadly Force Laws:** 2C-3-1 thru 2C-3-10

**State Knife Laws:** 2C-39-1 & 2C-39-3 & 2C-39-6 & 2C-39-9.1

**Chemical/Electric Weapons Laws:** 2C-39-3 (Elec) & 2C-39-6 & 2C-39-9

**Body Armor Laws:** 2C-39-13

**Does Your Permit Cover Other Weapons Besides Firearms?** NO 2C:58-4.

**Is carrying of a Concealed Firearm with Permit/License for Defensive Purposes Only While Hunting Legal** NO NJ Gen Hunting Regs. It is Unlawful to: have both a firearm and bow in possession or under control while hunting.

## Notes

### What Does NJ Consider A Loaded Firearm?

New Jersey does not define Loaded. Its firearm laws are full of the words Loaded or Unloaded but does not give a definition. When a state does not define Loaded or Unloaded Handgunlaw.us recommends that all firearms do not contain any ammo either in a fixed cylinder, fixed magazine or Tube. That all detachable magazines do not contain any ammunition.

### State Emergency Powers

New Jersey Office of Emergency Management as far as I can ascertain has control when a State of Emergency is declared by the Governor. They have so many directives and Executive Orders in place it is very difficult to follow them. The NJ Office of Emergency Management website can be viewed [Here](#).

#### N.J.A.C. 13:54-6.7 Regulations During a Civil Disturbance or Declared Emergency Period

(a) In the interest of the public health, safety and welfare, firearms dealers shall discontinue the sale of firearms and ammunition upon notification by the Superintendent or the chief of police of the municipality where the firearms dealers' business is located, that a civil disturbance or other emergency exists.

(b) Those businesses affected shall not resume the sale of firearms or ammunition until such time as the Superintendent or the chief of police of the municipality determines that the civil disturbance or other emergency no longer exists.

(c) All dealers located in the area affected by such disturbance or emergency shall be required to comply with one of the following:

1. Arrange with the chief of police officer of the municipality for appropriate security of firearms and ammunition; or
2. Remove all firearms and ammunition from the business premises to a secure location.

(d) Failure of the dealer to comply with any of the above requirements may result in the revocation of the license of such dealer.

**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 Jersey 21 Y/O 2C:58-6.1**

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

I do not know if there is any information on the reverse of this License.



This image has been digitally assembled from 2 or more images. It may not be 100% accurate but gives a good representation of the actual Permit/License.

## Updates to this Page

- 1/1/11 – IA now Honors NJ. Notes Section Added. Permit/License Image Added. RV/Car Carry Section Updated.
- 4/5/11 – All Links Checked.
- 4/17/11 – Information about carrying while hunting added.
- 9/9/11 – All Links Checked and Repaired if Needed.
- 12/1/11 North Carolina Now Honors NJ.
- 3/2/12 – All Links Checked.
- 3/12/12 - Emergency Powers Law added to Notes Section. Link to State Emerg Web Site Added.
- 7/1/12 – Mississippi Now Honors NJ.
- 8/17/12 – Link added to Forms and Info in How to Apply Section. Link to NJ Law on HP’s Added.
- 8/31/12 – Emergency Powers In Notes Section Added to.
- 9/7/12 – Carrying while hunting info updated.
- 10/26/12 - Minimum Age for Possessing/Transporting a Handgun Added to Notes Section.
- 2/9/13 – Non Resident Permit Section Updated.
- 3/29/13 – All Links Checked and Repaired if Required.