

## **GENERAL QUESTIONS IN REFERENCE TO CONCEALED AND UNCONCEALED CARRY OF HANDGUNS.**

**DISCLAIMER:** The Adams County Sheriff's Office only provides this information as a service to our citizens. Much of the information contained in this document was found on the internet. We have endeavored to make sure all provided information is correct, but we will not accept responsibility for incorrect information. We expect you, as a legally armed citizen, to obtain training from a certified instructor or qualified organization. There is no such thing as too much training. KNOW YOUR HANDGUN.

Please visit our website at [www.AdamsSheriff.org](http://www.AdamsSheriff.org).

**Q. Are Colorado residents required to register their firearms?**

**A. NO**

**Q. What is required when I bring firearms from another state?**

**A. NOTHING**

### **Carrying in a Vehicle**

**Q. Can I carry concealed in a vehicle or RV without a permit?**

**A. YES:**

**18-12-105. Unlawfully carrying a concealed weapon - unlawful possession of weapons.**

**(2)** It shall not be an offense if the defendant was:

**(b)** A person in a private automobile or other private means of conveyance who carries a weapon for lawful protection of such person's or another's person or property while traveling

**ALSO:**

**18-12-204. Permit contents - validity - carrying requirements.**

**(3) (a)** A person who may lawfully possess a handgun may carry a handgun under the following circumstances without obtaining a permit and the handgun shall not be considered concealed:

The handgun is in the possession of a person who is in a private automobile or in some other private means of conveyance and who carries the handgun for a legal use, including self-defense

**Q. Can I carry openly in my car?**

**A. YES (Colorado law does not prohibit open carry; however, some municipalities do)**

**Q. Can I have a loaded pistol in my vehicle or RV?**

**A. YES**

**33-6-125.** Possession of a loaded firearm in a motor vehicle.

It is unlawful to possess any firearm, other than a pistol or revolver, in or on any motor vehicle unless the chamber of such firearm is unloaded. For the purposes of this section, a "muzzle-loader" shall be considered unloaded if it is not primed, and, for such purpose, "primed" means having a percussion cap on the nipple or flint in the striker and powder in the flash pan.

**Q. Can I have a loaded rifle or shotgun in my vehicle or RV?**

**A. YES (As long as there is not a round "chambered")**

**33-6-125.** Possession of a loaded firearm in a motor vehicle.

It is unlawful to possess any firearm, other than a pistol or revolver, in or on any motor vehicle unless the chamber of such firearm is unloaded. For the purposes of this section, a "muzzle-loader" shall be considered

unloaded if it is not primed, and, for such purpose, "primed" means having a percussion cap on the nipple or flint in the striker and powder in the flash pan.

**Q. Can I carry while on a motorcycle?**

**A. CONDITIONAL YES**

**18-12-105.** Unlawfully carrying a concealed weapon - unlawful possession of weapons.

**(2)** It shall not be an offense if the defendant was:

**(b)** A person in a private automobile or other private means of conveyance who carries a weapon for lawful protection of such person's or another's person or property while traveling

(Just remember that if you stop at a prohibited carry location i.e. school or court, you will have to leave the weapon in your vehicle. With motorcycles, this is not an option.)

**Carrying without a Permit & Open Carry**

**Q. Can I carry concealed on my person without a permit in Colorado?**

**A. NO** (It's a Class 2 misdemeanor if caught, and you will most likely forfeit the weapon; however, if done on school property it's a felony)

**18-12-105.** Unlawfully carrying a concealed weapon - unlawful possession of weapons.

**(1)** A person commits a class 2 misdemeanor if such person knowingly and unlawfully:

**(a)** Carries a knife concealed on or about his or her person; or

**(b)** Carries a firearm concealed on or about his or her person;

**18-12-105.5.** Unlawfully carrying a weapon - unlawful possession of weapons - school, college, or university grounds.

**(1)** A person commits a class 6 felony if such person carries a deadly weapon in or on the real estate and all improvements erected thereon of any public or private elementary, middle, junior high, high, or vocational school or any public or private college, university, or seminary

**Q. Can I carry openly?**

**A. CONDITIONAL YES** (But not in some cities -- or specific areas within some cities -- which prohibit it. **You must check with local authorities**)

**29-11.7-104. Regulation - carrying - posting.**

A local government may enact an ordinance, regulation, or other law that prohibits the open carrying of a firearm in a building or specific area within the local government's jurisdiction. If a local government enacts an ordinance, regulation, or other law that prohibits the open carrying of a firearm in a building or specific area, the local government shall post signs at the public entrances to the building or specific area informing persons that the open carrying of firearms is prohibited in the building or specific area.

**Concealed Carry Permits**

**Q. Where can I NOT carry with a valid Colorado concealed carry permit?**

**A. 18-12-214.** Authority granted by permit - carrying restrictions.

**(1) (a)** A permit to carry a concealed handgun authorizes the permittee to carry a concealed handgun in all areas of the state, except

**(2)** A permit issued does not authorize a person to carry a concealed handgun into a place where the carrying of firearms is prohibited by federal law\*.

**(3)** A permit issued pursuant to this part 2 does not authorize a person to carry a concealed handgun onto the real property, or into any improvements erected thereon, of a public elementary, middle, junior high, or high school

**(4)** A permit issued does not authorize a person to carry a concealed handgun into a public building at which:

**(a)** Security personnel and electronic weapons screening devices are permanently in place at each entrance to the building;

**(b)** Security personnel electronically screen each person who enters the building to determine whether the person is carrying a weapon of any kind; and

**(c)** Security personnel require each person who is carrying a weapon of any kind to leave the weapon in possession of security personnel while the person is in the building.

**(5)** Nothing in this shall be construed to limit existing rights of a private property owner, private tenant, private employer, or private business entity.

**\* Federal Gun Law is on the last page of this document**

**Q. If I have a concealed carry permit, can I carry on K-12 school grounds?**

**A. NO**

**18-12-214.** Authority granted by permit - carrying restrictions.

**(3)** A permit does not authorize a person to carry a concealed handgun onto the real property, or into any improvements erected thereon, of a public elementary, middle, junior high, or high school.

**Q. If I am carrying a concealed handgun and must go on school grounds, what do I do?**

**A. 18-12-214.** Authority granted by permit - carrying restrictions.

**(3) (a)** A permittee may have a handgun on the real property of the public school so long as the handgun remains in his or her vehicle and, if the permittee is not in the vehicle, the handgun is in a compartment within the vehicle and the vehicle is locked;

**Q. If I have a concealed carry permit, can I carry on college school grounds?**

**A. YES** (With conditions and if it is a public school)

**18-12-105.5.** Unlawfully carrying a weapon - unlawful possession of weapons - school, college, or university grounds.

**(3)** It shall not be an offense under this section if:

**(d)** The person, at the time of carrying a concealed weapon, held a valid written permit to carry a concealed weapon

**However,** then Attorney General Ken Salazar wrote an opinion that, since the Regents to the University of Colorado are a constitutional office and have powers to govern that university, they may ban concealed carry on their campuses. As of the writing of this document, all of CU's campuses have a ban on concealed carry. **NOTE:** The **CSU** Chief of Police has stated that valid permits to carry concealed shall be honored on CSU grounds.

**Q. Which other states are Colorado permits good in?**

**A.** For a full and updated list of reciprocity check: <https://cbi.colorado.gov/sections/firearms-instacheck-unit/concealed-handgun-permit-chp>

**Q. As a resident of Colorado, can I use my Florida/Utah concealed carry permit to carry in Colorado?**

**A.** NO (changed as of 6/2007, due to SB07-34)

The State of Colorado does not recognize the validity of a concealed carry permit issued by any state, to a nonresident of that state (see C.R.S 18-12-213, as amended in 2007). Specifically, state law requires the state of residency of the person and the state of issue of a permit to match as proven by a valid driver’s license or identification card issued by that same state.

In addition to out of state visitors from reciprocal states, this state law also applies to Colorado residents. A Colorado resident may only carry concealed in the state using a Colorado Concealed Handgun Permit (CHP). A Colorado resident cannot legally carry concealed in-state using a nonresident permit issued by any other state. (Colorado law does not authorize a sheriff to issue a non-resident permit). This new law says that for a non-Colorado permit to be valid in Colorado, that permit must be from a state which has a reciprocity agreement with Colorado, and (here's where the new law adds a criteria) that permit holder must be a resident of the state that issued the permit.

**Q. As a resident of New York (or any state that does not issue CCW permits), can I use my Florida/Utah concealed carry permit to carry in Colorado?**

**A.** NO (changed as of 6/2007, due to SB07-34)

Florida and Utah are states that issues "non-resident" permits (Colorado law does not authorize a sheriff to issue a non-resident permit). This new law says that for a non-Colorado permit to be valid in Colorado, that permit must be from a state which has a reciprocity agreement with Colorado, and (here's where the new law adds a criteria) that permit holder must be a resident of the state that issued the permit.

That also means that for a Utah or Florida carry permit to be valid, the person carrying that permit must be from the state that issued the permit.

**Acquiring a Concealed Carry Permit**

**Q. Who issues permits?**

**A.** Your County Sheriff.

**Q. Can a sheriff issue a permit to me, even if I don’t live in the area they cover?**

**A.** NO. You must be a resident of their county for them to issue a permit. Most require you to show a driver’s license or state-issued identification to prove your place of residence. **NOTE:** As with any other law enforcement agency, the Adams County Sheriff’s Office is sworn to uphold the laws of Colorado. Therefore, if you present identification with incorrect address information, and it’s found that you have not updated it, you could receive a summons.

**Colorado Revised Statute 42-2-119** reads as follows:

**(1) (a)** Whenever any person, after applying for or receiving a driver's license or motor vehicle registration number, moves from the address named in such application or in the license or registration issued to such person or when the name of the licensee is changed, such person shall, within thirty days, notify the department in writing of such person's old and new address and the number of any license or registration held by such person. A licensee who changes his or her name shall, within thirty days, apply in person to renew such license pursuant to section 42-2-118 and in compliance with sections 42-2-107 and 42-2-305.

**Q. How do I apply for a permit?**

**A.** To apply for an Adam’s County permit, go to the Sheriff’s Office’s web page is <http://www.AdamsSheriff.org>. Click on Concealed Handgun Permits and then New permits. You can use the online scheduler to find the next available appointment. The website also has the application you can download and bring to your appointment.

**Q. How much is it to apply for a permit?**

**A.** For a new permit, Adams County charges \$152.50. – CBI fee is \$52.50, and Sheriff’s fee is \$100.  
For a renewal, Adams County charges \$63 - CBI fee is \$13.00, and Sheriff’s fee is \$50.

**Q. What kind of training is required?**

**A.** Criteria for obtaining a permit:

- Documented participation in an organized shooting event
- Current military service
- Proof of honorable discharge from military within 10 years of application
- Evidence of being a certified instructor
- Retirement from a Colorado law enforcement agency within the last 10 years
- Proof of Handgun class within the last 10 years

**Q. If I'm denied the permit but would like to appeal it, how do I do that?**

**A.** According to state law, you can file an appeal with the Sheriff's office. You can also file for a Judicial Review using rule 106 (a) (4) AND (b) of the Colorado Rules of Civil Procedure.

**Q. What are the reasons for denial?**

**A. Per CRS 18-12-203 (1)(c) is not ineligible to possess a firearm pursuant to section 18-12-108 or Federal Law**

**CRS 18-12-108:**

**(3) and (4)(c)** – Has been adjudicated Delinquent for a crime, which if committed as an adult, would be a felony;  
**(d)** Has not been convicted of perjury under section 18-8-503, in relation to information provided or deliberately omitted on a permit application submitted pursuant to this part 2;

**(e) (I)** Does not chronically and habitually use alcoholic beverages to the extent that the applicant’s normal faculties are impaired.

**(II)** The prohibition specified in this subsection (1)(e) shall not apply to an applicant who provides an affidavit, signed by a professional counselor or addiction counselor who is licensed pursuant to article 245 of title 12 and specializes in alcohol addiction, stating that the applicant has been evaluated by the counselor and has been determined to be a recovering alcoholic who has refrained from using alcohol for at least three years.

**(f)** Is not an unlawful user of or addicted to a controlled substance as defined in section 18-18-102 (5). Whether an applicant is an unlawful user of or addicted to a controlled substance shall be determined as provided in federal law and regulations.

**(g)** Is not subject to:

**(I)** A protection order issued pursuant to section 18-1-1001 or section 19-2-707, C.R.S., that is in effect at the time the application is submitted; or

**(II)** A permanent protection order issued pursuant to article 14 of title 13;

**(III)** A temporary protection order issued pursuant to article 14 of title 13 that is in effect at the time the application is submitted; or

**(IV)** A temporary extreme risk protection order issued pursuant to section 13-14.5-103 (3) or an extreme risk protection order issued pursuant to section 13-14.5-105 (2);

**CRS 18-12-112 (9)(a)** Private firearms transfers – background check required – A person who violates provision of this section commits a class 1 misdemeanor and shall also be prohibited from possessing a firearm for two years per state law.

**Federal Law Prohibitors 18 U.S.C. sec. 922 (g):**

**(d)** It shall be unlawful for any person to sell or otherwise dispose of any firearm or ammunition to any person knowing or having reasonable cause to believe that such person –

- (1) Has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year (excludes state misdemeanors where the person may have received a sentence for up to two years);
- (2) is a fugitive from justice;
- (3) is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));
- (4) who, has been adjudicated as a mental defective or has been committed to any mental institution;
- (5) who, is an alien, is illegally or unlawfully in the United States;
- (6) who, has been discharged from the Armed Forces under dishonorable conditions;
- (7) who, having been a citizen of the United States, has renounced U.S. citizenship;
- (8) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner;
- (9) who, has been convicted in any court of misdemeanor crime of domestic violence (MCDV)
- (n) Is under indictment for a crime punishable by imprisonment for a term exceeding one year.

**Q. CBI denied my purchase of a firearm because I was arrested, but I was never convicted of that crime (acquitted, deferred judgment, deferred sentence, etc.) Can I be denied for a crime I was not convicted of?**

**A. YES –**

If you were arrested but there is no final disposition available on your criminal history, you must provide information regarding the outcome of the arrest to appeal CBI’s denial. You can provide your identifying information, denial information and the documentation that clears up the denied status and send via email. Once proven, and CBI issues the approval code, you can then show that paperwork to your firearms dealer. Also note that once that is cleared up, CBI usually corrects their records.

**CBI CONTACT INFORMATION:**

- [CDPS\\_CBI\\_InstaCheck\\_Appeals@State.CO.US](mailto:CDPS_CBI_InstaCheck_Appeals@State.CO.US) (Email address for appeals)
- CBI’s InstaCheck website is <https://cbi.colorado.gov/sections/firearms-instacheck-unit>
- CBI’s Phone number is (303) 813-5700

**Q. I was wrongly denied a firearm purchase by CBI. What should I do now?**

**A.** It will be up to you to contact CBI to set the matter straight. Typically, there is information on the firearm denial of how to appeal the decision; however, if that is not available you can provide your identifying information, denial information and the documentation that clears up the denied status through the appeals email (see contact information above). Once proven, and CBI issues the approval code, you can then show that paperwork to your firearms dealer. Also note that once that is cleared up, CBI usually corrects their records.

## **Colorado Revised Statutes 24-33.5-424**

**(3) (a)** The bureau, acting as the state point of contact for implementation of 18 U.S.C. sec. 922 (t), shall transmit a request for a background check in connection with the prospective transfer of a firearm to the NICS system and may also search other databases. The bureau shall deny a transfer of a firearm to a prospective transferee if the transfer would violate 18 U.S.C. sec. 922 (g) or (n) or result in the violation of any provision of state law, including but not limited to section 18-12-108 (4) (c), C.R.S., involving acts which, if committed by an adult, would constitute a burglary, arson, or any felony involving the use of force or the use of a deadly weapon.

**(b) (I)** In addition to the grounds for denial specified in paragraph (a) of this subsection (3), the bureau shall deny a transfer of a firearm if, at any time the bureau transmits the request or searches other databases, information indicates that the prospective transferee:

**(A)** Has been arrested for or charged with a crime for which the prospective transferee, if convicted, would be prohibited under state or federal law from purchasing, receiving, or possessing a firearm and either there has been no final disposition of the case or the final disposition is not noted in the other databases; or

**(B)** Is the subject of an indictment, an information, or a felony complaint alleging that the prospective transferee has committed a crime punishable by imprisonment for a term exceeding one year as defined in 1 U.S.C. sec. 921 (a) (20), as amended, and either there has been no final disposition of the case or the final disposition is not noted in the other databases.

## **"Assault Weapons"**

**Q. Can I legally possess a semi-automatic, so-called "Assault Weapon" in Colorado?**

**A. CONDITIONAL YES.** Some municipalities ban them or require their registration. Though SB03-25 was designed to remove these municipal restrictions, a November 2004 ruling by Judge Meyers kept the Denver ban in place.

**Q. What is an "Assault Weapon"?**

**A.** Colorado law does not define an "assault rifle" or "assault weapon". Fully automatic firearms are illegal under Federal Law.

## **Possession & Purchase of Firearms**

**Q. What are the Federal & State Age restrictions for firearms purchase and/or possession?** Go to <https://www.atf.gov/resource-center/minimum-age-gun-sales-and-transfers> for more info about this subject.

## **Open Carry**

**Q. Can I Open Carry in Colorado?**

**A. YES.** But this is not a simple yes; unfortunately, it is quite complicated.

**Q. What exactly is Open Carry?**

**A. 18-12-105. Unlawfully carrying a concealed weapon - unlawful possession of weapons.**

**(1)** A person commits a class 2 misdemeanor if such person knowingly and unlawfully:

**(b)** Carries a firearm concealed on or about his or her person; or

**(c)** Without legal authority, carries, brings, or has in such person's possession a firearm or any explosive, incendiary, or other dangerous device on the property of or within any building in which the chambers, galleries, or offices of the general assembly, or either house thereof, are located, or in which a legislative hearing or meeting is being or is to be conducted, or in which the official office of any member, officer, or employee of the general assembly is located.

**(d)** (Deleted by amendment, L. 93, p. 964, § 1, effective July 1, 1993.)

**(2)** It shall not be an offense if the defendant was:

**(a)** A person in his or her own dwelling or place of business or on property owned or under his or her control at the time of the act of carrying; or

**(b)** A person in a private automobile or other private means of conveyance who carries a weapon for lawful protection of such person's or another's person or property while traveling; or

**(c)** A person who, at the time of carrying a concealed weapon, held a valid written permit to carry a concealed weapon issued pursuant to section 18-12-105.1, as it existed prior to its repeal, or, if the weapon involved was a handgun, held a valid permit to carry a concealed handgun or a temporary emergency permit issued pursuant to part 2 of this article; except that it shall be an offense under this section if the person was carrying a concealed handgun in violation of the provisions of section 18-12-214

**Q. Does it matter if it is loaded or not?**

**A. SOMETIMES.**

In general, it does not change things legally if it is loaded or not. For example, in your car, the law does prohibit long guns with a round chambered, but not handguns. These are based on hunting laws. But the law concerning weapons “in facilities of public transportation” does specify “any loaded firearm.” Technically, an unloaded firearm would be legal, but a violation of this law is a felony, so arguing loaded v. unloaded is some very thin ice to skate on.

**33-6-125. Possession of a loaded firearm in a motor vehicle.**

It is unlawful to possess any firearm, other than a pistol or revolver, in or on any motor vehicle unless the chamber of such firearm is unloaded. For the purposes of this section, a "muzzle-loader" shall be considered unloaded if it is not primed, and, for such purpose, "primed" means having a percussion cap on the nipple or flint in the striker and powder in the flash pan.

**18-9-118. Firearms, explosives, or incendiary devices in facilities of public transportation.**

A person commits a class 6 felony if, without legal authority, he has any loaded firearm or explosive or incendiary device, as defined in section 9-7-103, C.R.S., in his possession in, or carries, brings, or causes to be carried or brought any of such items into, any facility of public transportation, as defined in section 18-9-115 (4).

**Q. Who can Open Carry?**

**A. Anybody who can legally possess a handgun.**

Generally, **if you can own it**, you can open carry it. For a handgun, anyone who is over 18 and not a **prohibited possessor**. **Please see this section for more information.** Who is prohibited from firearm possession and under what law is a whole discussion by itself.

Please go to <https://www.atf.gov/firearms/qa/are-there-persons-who-cannot-legally-receive-or-possess-firearms-andor-ammunition> for additional information.

**Q. Where can I Open Carry?**

**A. Everywhere except where specifically prohibited.**

Basically, if it is not prohibited, it is allowed. Be very sure of where you can and cannot, as open carry can attract a great deal of attention. You do not want to unintentionally have that attention drawn to you when you are mistakenly in a prohibited area.

**Q. Where can I not Open Carry?**

**A. Several places.** These fit into four main categories: **Prohibited by Law Areas, Prohibiting Municipalities, Prohibiting Private Businesses and Prohibiting Private Residences.**

**-Prohibited by Law Areas:**

**-Facility of public transportation. (If loaded)**

**18-9-118. Firearms, explosives, or incendiary devices in facilities of public transportation.**

A person commits a class 6 felony if, without legal authority, he has any loaded firearm or explosive or incendiary device, as defined in section 9-7-103, C.R.S., in his possession in, or carries, brings, or causes to be carried or brought any of such items into, any facility of public transportation, as defined in section 18-9-115 (4).

**18-9-115. Endangering public transportation.**

(4) "Facility of public transportation" includes a public conveyance and any area, structure, or device which is designed, adapted, and used to support, guide, control, permit, or facilitate the movement, starting, stopping, takeoff, landing, or servicing of a public conveyance or the loading or unloading of passengers or goods.

**-Chambers, galleries, or offices of the general assembly, or a building in which a legislative hearing or meeting is being or is to be conducted,**

**18-12-105. Unlawfully carrying a concealed weapon - unlawful possession of weapons.**

(c) Without legal authority, carries, brings, or has in such person's possession a firearm or any explosive, incendiary, or other dangerous device on the property of or within any building in which the chambers, galleries, or offices of the general assembly, or either house thereof, are located, or in which a legislative hearing or meeting is being or is to be conducted, or in which the official office of any member, officer, or employee of the general assembly is located.

(2) It shall not be an offense if the defendant was:

(c) A person who, at the time of carrying a concealed weapon, held a valid written permit to carry a concealed weapon issued pursuant to section 18-12-105.1, as it existed prior to its repeal, or, if the weapon involved was a handgun, held a valid permit to carry a concealed handgun or a temporary emergency permit issued pursuant to part 2 of this article; except that it shall be an offense under this section if the person was carrying a concealed handgun in violation of the provisions of section **18-12-214**; or

It seems that, in this instance, open carry would be legal with a concealed weapons permit.

**-School, college, or university grounds.**

**18-12-105.5. Unlawfully carrying a weapon - unlawful possession of weapons - school, college, or university grounds.**

(1) A person commits a class 6 felony if such person knowingly and unlawfully and without legal authority carries, brings, or has in such person's possession a deadly weapon as defined in section **18-1-901 (3) (e)** in or on the real estate and all improvements erected thereon of any public or private elementary, middle, junior high, high, or vocational school or any public or private college, university, or seminary, except for the purpose of presenting an authorized public demonstration or exhibition pursuant to instruction in conjunction with an organized school or class, for the purpose of carrying out the necessary duties and functions of an employee of an educational institution that require the use of a deadly weapon, or for the purpose of participation in an authorized extracurricular activity or on an athletic team.

(3) It shall not be an offense under this section if:

(a) The weapon is unloaded and remains inside a motor vehicle while upon the real estate of any public or private college, university, or seminary; or

(b) The person is in that person's own dwelling or place of business or on property owned or under that person's control at the time of the act of carrying; or

(c) The person is in a private automobile or other private means of conveyance and is carrying a weapon for lawful protection of that person's or another's person or property while traveling; or

(d) The person, at the time of carrying a concealed weapon, held a valid written permit to carry a concealed weapon issued pursuant to section 18-12-105.1, as said section existed prior to its repeal; except that it shall be an offense under this section if the person was carrying a concealed handgun in violation of the provisions of section **18-12-214 (3)**; or

(d.5) The weapon involved was a handgun and the person held a valid permit to carry a concealed handgun or a temporary emergency permit issued pursuant to part 2 of this article; except that it shall be an offense under this section if the person was carrying a concealed handgun in violation of the provisions of section 18-12-214 (3); or

- (e) The person is a peace officer, as described in section 16-2.5-101, C.R.S., when carrying a weapon in conformance with the policy of the employing agency as provided in section 16-2.5-101 (2), C.R.S.; or
- (h) The person has possession of the weapon for use in an educational program approved by a school which program includes, but shall not be limited to, any course designed for the repair or maintenance of weapons.

**-Premises of a Racetrack (Not a crime, but grounds for future denial of racing license.)**

**12-60-507. Investigation - denial, suspension, and revocation actions against licensees - unlawful acts.**

(1) The commission upon its own motion may, and upon complaint in writing of any person shall, investigate the activities of any licensee or applicant within the state or any person upon the premises of any facility licensed pursuant to this article. In addition to its authority under any other provision of this article, the commission may issue a letter of admonition to a licensee, fine a licensee, suspend a license, deny an application for a license, or revoke a license, if such person has committed any of the following violations:

(m) Possession on the premises of a racetrack of:

(l) Firearms; or

**-On a Snowmobile**

**33-14-117. Hunting, carrying weapons on snowmobiles - prohibitions.**

(1) It is unlawful for any person to:

(b) Operate or ride on any snowmobile with any firearm in his possession, unless such firearm is unloaded and enclosed in a carrying case or inserted in a scabbard, or with any bow unless it is unstrung or cased, but this paragraph (b) shall not apply to any person to whom the division of wildlife has issued a permit for the control of predators such as coyotes, foxes, bobcats, and the like;

(3) Any person who violates subsection (1) of this section is guilty of a class 2 petty offense and, upon conviction, shall be punished by a fine as follows:

(a) For a violation of paragraph (a) of subsection (1) of this section, two hundred dollars;

(b) For a violation of paragraph (b) of subsection (1) of this section, fifty dollars; and

(c) For a violation of paragraph (c) of subsection (1) of this section, two hundred dollars.

**-Prohibiting Private Businesses**

Businesses are private property, and except for some very broad categories established by the courts, a business can disallow almost anything from being on their property. This, unfortunately, is sometimes legal firearms, both openly carried and concealed carry (with permit). Please consult our Merchant Awareness Program for more information (and our position and strategy) on this issue.

**18-4-504. Third degree criminal trespass.**

(1) A person commits the crime of third degree criminal trespass if such person unlawfully enters or remains in or upon premises of another.

(2) Third degree criminal trespass is a class 1 petty offense...

**-Prohibiting Private Residences**

Basically, the same as a business, but more privacy applies here. If someone doesn't want something or somebody in their home, that's their right

**18-4-504. Third degree criminal trespass.**

(1) A person commits the crime of third degree criminal trespass if such person unlawfully enters or remains in or upon premises of another.

(2) Third degree criminal trespass is a class 1 petty offense...

**Q. What other laws might apply to me as a Legally Armed Citizen who Openly Carries?**

**A.** Of open carry concern (Laws with the potential for LEO mischarge/abuse): “Brandishing” “threatening” and “disorderly public conduct” laws “trespassing”

**18-9-106. Disorderly conduct.**

(1) A person commits disorderly conduct if he or she intentionally, knowingly, or recklessly: Not being a peace officer, displays a deadly weapon, displays any article used or fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon, or represents verbally or otherwise that he or she is armed with a deadly weapon in a public place in a manner calculated to alarm.

(3) An offense under...(1) (f) of this section is a class 2 misdemeanor.

**18-3-206. Menacing.**

(1) A person commits the crime of menacing if, by any threat or physical action, he or she knowingly places or attempts to place another person in fear of imminent serious bodily injury. Menacing is a class 3 misdemeanor, but, it is a class 5 felony if committed:

(a) By the use of a deadly weapon or any article used or fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon; or

(b) By the person representing verbally or otherwise that he or she is armed with a deadly weapon.

**18-4-504. Third degree criminal trespass.**

(1) A person commits the crime of third degree criminal trespass if such person unlawfully enters or remains in or upon premises of another.

(2) Third degree criminal trespass is a class 1 petty offense...

**NFA Weapons (Machineguns, Suppressors, etc.)**

**Q. Can I legally possess a machine gun in Colorado?**

**A. CONDITIONAL YES.**

Colorado law has no additional prohibitions for NFA weapons (that are not in place by Federal law). Many municipalities/counties have a standing policy that their law enforcement officials will not sign Form 4's, but that's rare.

James Bardwell's FAQ about Federal Gun Laws can be found at:

[https://nationalgunrights.org/default/assets/File/NAGR\\_NFA-FAQ\\_byJamesBardwell.pdf](https://nationalgunrights.org/default/assets/File/NAGR_NFA-FAQ_byJamesBardwell.pdf)

## **Federal bans on firearms**

The following items were compiled by the Congressional Research Service

16 U.S.C. §26 prohibits the use of a firearm for hunting in Yellowstone National Park. Several other provisions in Title 16 prohibit the use of a firearm in other national parks. Some of those parks include Sequoia, Yosemite, Mount Rainier, Mesa Verde, Wind Cave, Glacier, Rocky Mountain, Lassen Volcanic, Olympic, Hawaii, Shenandoah, Great Smoky, and Mammoth Cave. In other national parks, however, hunting with a firearm is allowed.

18 U.S.C. §922(q), known as the Gun-Free School Zones Act of 1991, prohibits possession of a firearm in a school zone (on the campus of a public or private school or within 1,000 feet of the grounds). Narrow exceptions are made for the proper authorities, firearms possessed on private property, being transported in an automobile, and several other similar circumstances. **(Note: a concealed handgun permit allows you to carry in these zones, though state law doesn't allow you to carry in public schools).**

18 U.S.C. §930 prohibits the possession of firearms and dangerous weapons in federal facilities. Higher penalties are set out for carrying such weapons into a federal court facility. Narrow exceptions are made for hunting or other lawful purposes.

18 U.S.C. §926A authorizes a private citizen, who is not otherwise prohibited from possessing a firearm, to transport a firearm interstate from one location in which the firearm is legal to another if the firearm is unloaded and not accessible from the passenger compartment of the vehicle.

18 U.S.C. §2277 prohibits the possession of a firearm aboard any U.S. ship without the prior permission of the ship's master or owner.

40 U.S.C. §193(f) prohibits the possession or discharge of a firearm or other devices on the U.S. Capitol grounds or in U.S. Capitol buildings.

49 U.S.C §46303 prohibits the possession of a concealed dangerous weapon (including firearms) in an aircraft.

40 U.S.C. §46505 prohibits attempting to bring a concealed dangerous weapon on board an aircraft or placing a loaded firearm on an aircraft in property (e.g., baggage or parcels) not normally available to passengers.