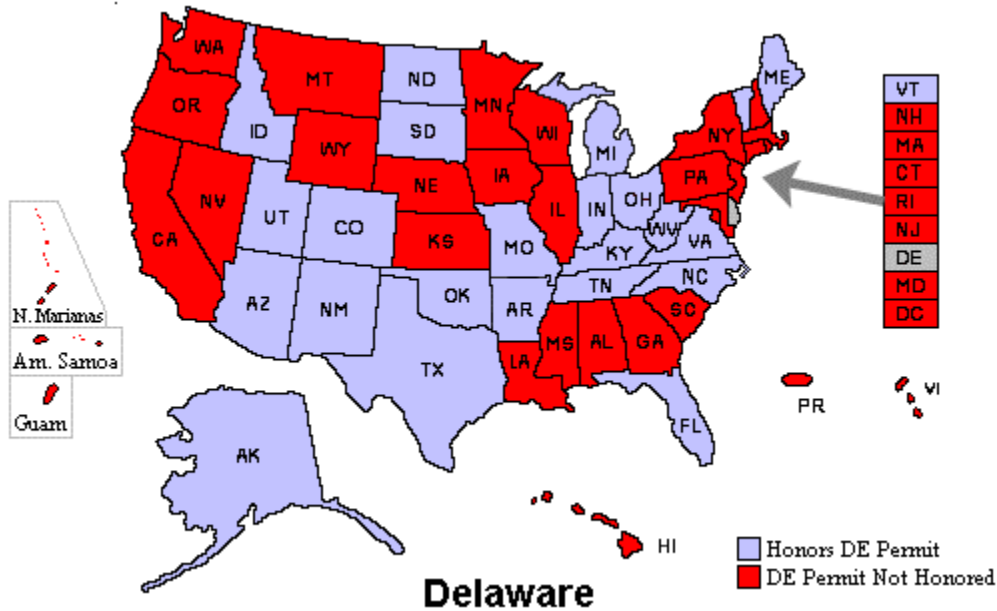


# Delaware

May Issue

Must Inform Officer: **NO**



## Links

[State CCW Site](#)

State CCW Pamphlet

[CCW Application](#)

[Application Instructions](#)

[State Statutes](#)

[State Admin Rules](#)

[State Reciprocity Info](#)

[State Attorney General](#)

2<sup>nd</sup> CCW Info Site

[Secretary of State](#)

Last Updated: 3/26/10

## Permits/Licenses This State Honors

Alaska	Arkansas	Arizona	Colorado	Florida
Kentucky	Maine	Michigan	Missouri	North Carolina
North Dakota	Ohio	Oklahoma	Tennessee	Texas
Utah	Virginia	West Virginia		

## Delaware Honors Non-Resident Permits/Licenses

### How to Apply for A Permit

#### Instructions

#### New Applications For A License To Carry A Concealed Deadly Weapon (Delaware Residents Only)

In order for your application for a license to carry a concealed deadly weapon to be processed, the following steps must be completed:

1. Arrange with a newspaper of general circulation in your County to have your application published once, at least (10) days before the filing of your application with the Court. Obtain an affidavit from the newspaper company stating that this requirement has been met, and attach it to your application. PLEASE NOTE: Newspaper selection must have a circulation of at least 35% of the population in your zip code. Be sure to use your whole name - no initials - and your home address.
2. Arrange to be fingerprinted. Fingerprinting by Appointment Only.  
Appointments are **ONLY** Tuesday & Thursday noon to 6:30 p.m.  
You will be given the address of the Delaware State Police Troop to report to at the time you are given an appointment.  
For an appointment call: (302)739-2528 or 1-800-464-4357

Payment by certified check, money order, business check or credit card for exact amount only.

**\* No Cash Or Personal Checks Accepted\***  
**Picture Id Required**

Fingerprints must be taken within 30 days of filing application.

3. Have the reference questionnaires completed by five (5) citizens from the County in which you reside.
4. Complete the attached questionnaire and have it notarized. (The Prothonotary Office will notarize a document for a \$1.00 fee)
5. Include two (2) 1½ x1½ color passport-style photographs of the applicant, taken within the six-month period immediately preceding the filing of the application.
6. Include the statutory filing fee of \$65.00. Cash, money order or personal check, made payable to "PROTHONOTARY" will be accepted. (Credit cards are accepted in Kent County ONLY)
7. New applications may be filed at any time. You must file the original set and a complete copy of all the documents. (DUPLICATE COPY) You may hand deliver your application to the Prothonotary's Office or, if all the requirements are met, mail to the Prothonotary Office in the County in which you are applying:

New Castle County Prothonotary Office  
CCDW Permit  
500 N. King Street, Suite 1500  
Wilmington, DE 19801-3704

Kent County Prothonotary Office  
38 The Green  
Dover, DE 19901

Sussex County Prothonotary Office  
1 The Circle, Suite 2  
Georgetown, DE 19947

You may be contacted by a representative of the Attorney General's Office for a personal interview. If you have any questions, please contact:

New Castle County	302-255-0556
Kent County	302-739-3184
Sussex County	302-854-6959

Following review of you application by the Attorney General's Office and the Court, you will receive written notification as to whether your application has been denied or approved. If your application is approved, you must now complete an Approved Gun Course. For exact details of what the course must include see [11 Del. C. § 1441](#). Upon completion of the course please submit our Certificate - certified by the Instructor and notarized to the Court. Your new CCDW permit will be issued following receipt verification of the gun course

November 2008

Reference Questionnaire can be downloaded ["Here"](#)

New permits will be valid for 3 years and renewals will be valid for 5 years with the passage of HB 258. Cost will go up to \$65.00. The new law was signed by the governor in early February 2010.

Application for Retired Law Enforcement Officers can be downloaded ["Here"](#)

## Non-Resident Permits

Delaware does not issue Non-Resident Permits/Licenses.

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

Carrying of a firearm is prohibited in

- Federal Buildings
- State approved "SLOTS"
- The 3 slot machine Casinos located in each of the 3 counties.
- Courthouses, police stations, prisons and other detention facilities' (Del. Code §1256 & §1258).
- State/National Forest (Del. Regulation 3.400.8.8).
- Wildlife Management Areas (Del. Regulation 7.8.3.4.1).
- State Parks (Del. Regulation 7.9000.24.3, enforced by §4704(4)).

### State Admin Rules

[Title 14 Education](#)

[1100 Transportation](#)

[1105 School Transportation](#)

**9.15** Weapons of any kind are not permitted on a school bus.

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

### Carry Allowed in these Areas:

**State Parks:** **NO** (Del. Regulation 7.9000.24.3, enforced by §4704(4)).

**State/National Forests:** **NO** State Forest Regs 3.400.8.0

**WMA's:** **NO** Div. Fish/Wildlife Regs 7.8.3.4.1

**Road Side Rest Areas:** **YES**

## RV/Car Carry Without A Permit/License

### Title 11

Crimes and Criminal Procedure

Delaware Criminal Code

**Chapter 5.** Specific Offenses

**Subchapter VII.** Offenses Against Public Health, Order and Decency

**Subpart A.** Riot, Disorderly Conduct and Related Offenses

**§ 1442.** Carrying a concealed deadly weapon; class G felony; class E felony.

A person is guilty of carrying a concealed deadly weapon when the person carries concealed a deadly weapon upon or about the person without a license to do so as provided by § 1441 of this title.

**Note: Must be clearly visible**

Carrying a concealed deadly weapon is a class G felony, unless the accused has been convicted within the previous 5 years of the same offense, in which case it is a class E felony. (11 Del. C. 1953, § 1442; 58 Del. Laws, c. 497, § 1; 59 Del. Laws, c. 547, § 13; 67 Del. Laws, c. 130, § 8; 70 Del. Laws, c. 186, § 1.)

**§ 1443.** Carrying a concealed dangerous instrument; class A misdemeanor.

(a) A person is guilty of carrying a concealed dangerous instrument when the person carries concealed a dangerous instrument upon or about the person.

(b) It shall be a defense that the defendant was carrying the concealed dangerous instrument for a specific lawful purpose and that the defendant had no intention of causing any physical injury or threatening the same.

(c) For the purposes of this section, disabling chemical spray, as defined in § 222 of this title, shall not be considered to be a dangerous instrument.

(d) Carrying a concealed dangerous instrument is a class A misdemeanor. (11 Del. C. 1953, § 1443; 58 Del. Laws, c. 497, § 1; 59 Del. Laws, c. 547, § 14; 67 Del. Laws, c. 130, § 8; 70 Del. Laws, c. 186, § 1; 71 Del. Laws, c. 374, § 6.)

## State Preemption

**Title 22: Chpt. 8: Subchpt. VI: § 835.**

Amendments prohibited.

(6) Prohibit, restrict or license ownership, transfer, possession or transportation of firearms or components of firearms or ammunition, except that the discharge of a firearm may be regulated; provided that any regulation or ordinance incorporates the justification defenses as found in Title 11 of the Delaware Code. Nothing contained herein shall be construed to invalidate existing municipal ordinances.

## Deadly Force Laws

**Title 11. Crimes and Criminal Procedure**

**Part 1. Delaware Criminal Code.**

**Chapter 4. Defenses to Criminal Liability.**

**§ 461.** Justification - A defense.

**§ 462.** Same - Execution of public duty.

**§ 463.** Justification - Choice of evils.

**§ 464.** Justification - Use of force in self-protection.

**§ 465.** Same - Use of force for the protection of other persons.

**§ 466.** Same - Use of force for the protection of property.

**§ 467.** Same - Use of force in law enforcement.

**§ 468.** Same - Use of force by persons with special responsibility for care, discipline or safety of others.

**§ 469.** Justification - Person unlawfully in dwelling.

**§ 470.** Provisions generally applicable to justification.

**§ 471.** Definitions relating to justification.

**§ 475.** Immunity as an affirmative defense.

## Knife Laws State/Cities

[www.handgunlaw.us](http://www.handgunlaw.us)

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

## Carry in Restaurants That Serve Alcohol

**YES**

**Note:** What is defined as carry in a restaurant that serves alcohol is a place like Friday’s or Red Lobster. This does not mean a bar or the bar area of a restaurant. 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.

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

Handgunlaw.us could find no restrictions in Delaware Law concerning Chemical Sprays, Stun Guns Or Higher Capacity Magazine Bans.

## LEOSA State Information

[Delaware LEOSA Information](#)

[Delaware LEOSA From the AG 2007](#)

[Delaware LEOSA From the AG 2009](#)

## 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 laws found.

**Time Period to Establish Residency:** Reside in Jurisdiction

**Minimum Age for Permit/License:** 18

**Permit/License Info Public Information:** **NO** Title 11 Chpt. 5 Subchpt. VII Subpart A - 1441 (b) The Prothonotary of the county in which any applicant for a license files the same shall cause notice of every such application to be published once, at least 10 days before the next term of the Superior Court. The publication shall be made in a newspaper of general circulation published in the county. In making such publication it shall be sufficient for the Prothonotary to do the same as a list in alphabetical form stating therein simply the name and residence of each applicant respectively.

**State Fire arm Laws:** 11-5-VII-1441 thru 1459

**State Deadly Force Laws:** 11-4-461 thru 475

**State Knife Laws: 11-2-222**

**Chemical/Electric Weapons Laws: 11-5-VII-1443**

**Body Armor Laws: 11-5-VII-1449**

**Does Your Permit Cover Other Weapons Besides Firearms? YES § 1441**

## Updates to this Page

**3/31/09** – Maine now honors a DE Permit

**4/16/09** - Additional LEOSA link Added

**5/4/09** – State Park carry changed to NO.

**7/8/09** – DE now honors VA

**8/19/09** - All Links checked and repaired if needed.

**11/20/09** – DE signs Reciprocity Agreement with WV

**12/22/09** – School Bus Carry added to Places off Limits. Permit Info Public updated.

**2/10/10** – Cost and term of permit/license updated. LEOSA Link Added

**3/7/10** – Places Off Limits Updated with Law citations.

**3/26/10** – Link to Application Instructions Added