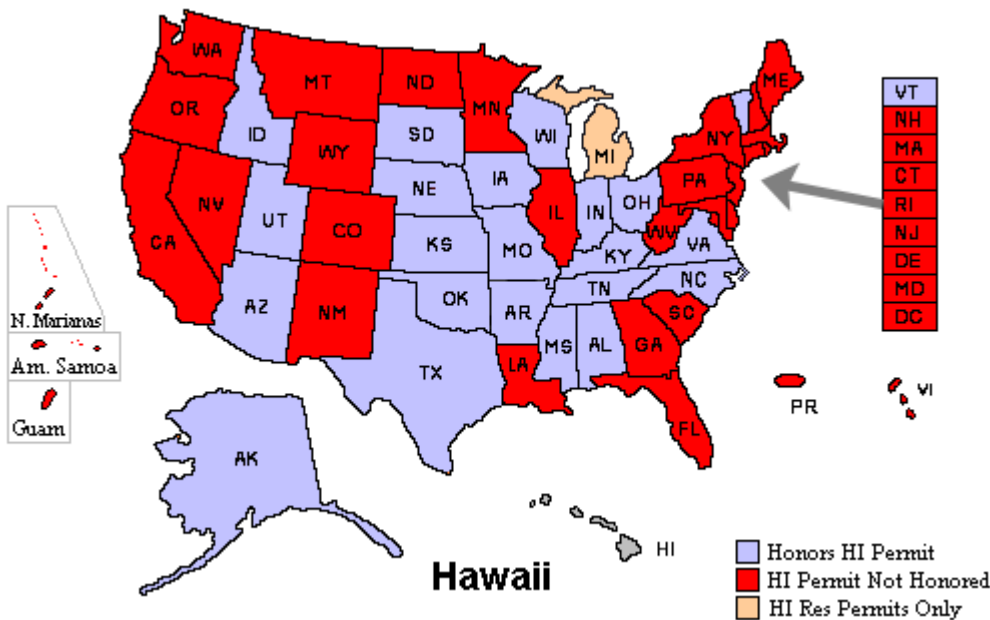


Hawaii

May Issue

Must Inform Officer Immediately: **NO**

(See Must Inform Section Below)



Hawaii CCW Links

[Hawaii PD CCW Site](#)

[Honolulu PD Site](#)

[CCW Application](#)

[Permit to Acquire](#)

[Honolulu PD FAQs](#)

[Registration Mandatory](#)

[State Statutes](#)

[State Admin Rules](#)

[St. Code on Firearms](#)

[State Attorney General](#)

[2nd CCW Info Site](#)

[Last Updated: 6/23/18](#)

Note: [Alaska](#), [Arizona](#), [Kansas](#), [Maine](#), [Mississippi](#), [Missouri](#), [New Hampshire](#), [Vermont](#) and [West Virginia](#) have “Permitless Carry.” Anyone who can legally possess a firearm may carry it concealed in those states without a Permit/License. Check each states page for more information and any restrictions that may apply.

[Idaho](#), [North Dakota](#) and [Wyoming](#) have “Permitless Carry” for their Residents only.

Permits/Licenses This State Honors Listed Below

Hawaii does not honor any other states Permits/Licenses.

How to Apply for a Permit

Notice: The 9th Circuit has amended its opinion on the CHRISTOPHER BAKER, Plaintiff - Appellant, v. LOUIS KEALOHA, as an individual and in his official capacity as Honolulu Chief of Police; et al.

The Court Stated: *In light of our holding in Peruta, the district court made an error of law when it concluded that the Hawaii statutes did not implicate protected Second Amendment activity. Accordingly, we vacate the district court’s decision denying Baker’s motion for a preliminary injunction and remand for further proceedings consistent with Peruta.*

So it looks like the case is now tied to the Peruta case as Hawaii is in the 9th Circuit along with California. This case will most likely not be settled in the near future as appeals will most likely stay any decision until the Supreme Court decides the case or refuses to hear it. Information will be added as it becomes available. Until then Hawaii is still “May Issue” unless the State of Hawaii amends their laws or the Court/s decide in our favor with a final judgement. You can see the change in their ruling [Here](#).

The [Honolulu Police Department](#) now has the following forms that you can download and fill out before going to the Firearms Section Office.

www.handgunlaw.us

- [Firearms Information Form](#)
- [Medical Information Waiver](#)
- [Mental Health Waiver](#)
- [Firearms Application Questionnaire](#)

To Apply for a Concealed Carry Permit. (They have not issued one in years)

Contact the Chief of Police in the Hawaii County you live in.

The Permit/License is valid for 1 year.

The Permit/License is only good in the Hawaii County it is issued in.

The Chief of Police can put any stipulations on the Permit/License they wish.

Cost is unknown. We know of no permits that have been issued in the state of Hawaii.

Here is the state law for issuing Concealed Carry Permits.

§134-9 Licenses to Carry.

(a) In an exceptional case, when an applicant shows reason to fear injury to the applicant's person or property, the chief of police of the appropriate county may grant a license to an applicant who is a citizen of the United States of the age of twenty-one years or more or to a duly accredited official representative of a foreign nation of the age of twenty-one years or more to carry a pistol or revolver and ammunition therefor concealed on the person within the county where the license is granted. Where the urgency or the need has been sufficiently indicated, the respective chief of police may grant to an applicant of good moral character who is a citizen of the United States of the age of twenty-one years or more, is engaged in the protection of life and property, and is not prohibited under section 134-7 from the ownership or possession of a firearm, a license to carry a pistol or revolver and ammunition therefor unconcealed on the person within the county where the license is granted. The chief of police of the appropriate county, or the chief's designated representative, shall perform an inquiry on an applicant by using the National Instant Criminal Background Check System, to include a check of the Immigration and Customs Enforcement databases where the applicant is not a citizen of the United States, before any determination to grant a license is made. Unless renewed, the license shall expire one year from the date of issue.

(b) The chief of police of each county shall adopt procedures to require that any person granted a license to carry a concealed weapon on the person shall:

- (1) Be qualified to use the firearm in a safe manner;
- (2) Appear to be a suitable person to be so licensed;
- (3) Not be prohibited under section 134-7 from the ownership or possession of a firearm; and
- (4) Not have been adjudged insane or not appear to be mentally deranged.

(c) No person shall carry concealed or unconcealed on the person a pistol or revolver without being licensed to do so under this section or in compliance with sections 134-5(c) or 134-25.

(d) A fee of \$10 shall be charged for each license and shall be deposited in the treasury of the county in which the license is granted.

[L 1988, c 275, pt of §2; am L 1994, c 204, §8; am L 1997, c 254, §§2, 4; am L 2000, c 96, §1; am L 2002, c 79, §1; am L 2006, c 27, §3 and c 66, §3; am L 2007, c 9, §8]

Taking Firearms into Hawaii

§134-3 Registration, Mandatory, Exceptions. (a) Every person arriving in the State who brings or by any other manner causes to be brought into the State a firearm of any description, whether usable or unusable, serviceable or unserviceable, modern or antique, shall register the firearm within three days after arrival of the person or of the firearm, whichever arrives later, with the chief of police of the county of the person's place of business or, if there is no place of business, the person's residence or, if there is neither a place of

business nor residence, the person's place of sojourn. A nonresident alien may bring firearms not otherwise prohibited by law into the State for a continuous period not to exceed ninety days; provided that the person meets the registration requirement of this section and the person possesses:

- (1) A valid Hawaii hunting license procured under chapter 183D, part II, or a commercial or private shooting preserve permit issued pursuant to section 183D-34;
- (2) A written document indicating the person has been invited to the State to shoot on private land; or
- (3) Written notification from a firing range or target shooting business indicating that the person will actually engage in target shooting.

Note: You can now register firearms online at the Honolulu PD Website [Here](#)

§134-7.3 Seizure of firearms upon disqualification. (a) If any applicant is denied a permit, the chiefs of police of the respective counties shall send, by certified mail, a notice setting forth the reasons for the denial and may require that the applicant voluntarily surrender all firearms and ammunition to the chief of police where the applicant resides or dispose of all firearms and ammunition. If an applicant fails to voluntarily surrender or dispose of all firearms and ammunition within thirty days from the date notice was mailed, the chief of police may seize all firearms and ammunition.

Note: You need to read all of the Hawaii code on firearms before trying to take firearms into Hawaii. There is a \$16.50 Fingerprint charge for first time registers of a firearm. I am not aware of any other charges to register a firearm.

Note: The Hawaii Attorney General releases reports every year on the number of firearms registered and the number of permits to carry that are issued. The reports for the years 2000-2016 report that only four permits to carry have been issued to civilians. You can reach the reports for every year by going [Here](#).

Hawaii Gun Laws can be found in their state statutes [134-1](#) thru [134-54](#)

Non-Resident Permits

Apply same as Resident.

Places Off-Limits Even With a Permit/License

I could find no instances in Hawaii law that stated any place was off limits to firearms. Hawaii does have a law on transporting firearms. Handgunlaw.us can't find where any license to carry has been issued by Hawaii even though they have issue in their laws.

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

Do "No Gun Signs" Have the Force of Law?

"YES"

§708-814 Criminal Trespass in The Second Degree.

- (1) A person commits the offense of criminal trespass in the second degree if:

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(a) The person knowingly enters or remains unlawfully in or upon premises that are enclosed in a manner designed to exclude intruders or are fenced;

(b) The person enters or remains unlawfully in or upon commercial premises after a reasonable warning or request to leave by the owner or lessee of the commercial premises, the owner's or lessee's authorized agent, or a police officer; provided that this paragraph shall not apply to any conduct or activity subject to regulation by the National Labor Relations Act.

Note: This info is put here mainly for LEO's carrying under LEOSA and for Private Investigators who may have a permit/license to carry while performing their duties in Hawaii.

Carry In State Parks//WMA/Road Side Rest Areas & St. /Nat. Forests

Carry Allowed in these Areas:

State Parks: **NO** [Admin Code O13-146-19](#)

State/National Forests: **NO**

State WMA's: **NO**

Road Side Rest Areas: **YES** Not in Buildings

RV/Car Carry Without a Permit/License

You can not carry a loaded firearm in any vehicle without a Permit/License.

[§134-26](#) Carrying or possessing a loaded firearm on a public highway; penalty.

(a) It shall be unlawful for any person on any public highway to carry on the person, or to have in the person's possession, or to carry in a vehicle any firearm loaded with ammunition; provided that this section shall not apply to any person who has in the person's possession or carries a pistol or revolver in accordance with a license issued as provided in section 134-9.

(b) Any vehicle used in the commission of an offense under this section shall be forfeited to the State, subject to the notice and hearing requirements of chapter 712A.

(c) Any person violating this section shall be guilty of a class B felony. [L 2006, c 66, pt of §1]

Note: See "Places Off Limits" Section for Mandatory Firearms Registration if you take a firearm into Hawaii.

Open Carry (Without a Valid Permit/License)

Open Carry is Illegal in Hawaii. Only when Hunting with a pistol with the proper license can a pistol be carried and it must be carried openly.

State Preemption

[§46-1.5](#) General Powers and Limitation of the Counties.

(13) Each county shall have the power to enact ordinances deemed necessary to protect health, life, and property, and to preserve the order and security of the county and its inhabitants on any subject or matter not inconsistent with, or tending to defeat, the intent of any state statute, provided also that the statute does not disclose an express or implied intent that the statute shall be exclusive or uniform throughout the State.

Deadly Force Laws

Chapter 703

General Principles of Justification

Section

§703-300 Definitions relating to justification.

§703-301 Justification a defense; civil remedies unaffected.

§703-302 Choice of evils.

§703-303 Execution of public duty.

§703-304 Use of force in self-protection.

§703-305 Use of force for the protection of other persons.

§703-306 Use of force for the protection of property.

§703-307 Use of force in law enforcement.

§703-308 Use of force to prevent suicide or the commission of a crime.

§703-309 Use of force by persons with special responsibility for care, discipline, or safety of others.

§703-310 Provisions generally applicable to justification.

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 or Red Lobster unless posted with “No Gun Signs.” 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

High Capacity Ammunition Magazines

§134-8 (c). “The manufacture, possession, sale, barter, trade, gift, transfer, or acquisition of detachable ammunition magazines with a capacity in excess of ten rounds which are designed for or capable of use with a pistol is prohibited.” This subsection shall not apply to magazines originally designed to accept more than

ten rounds of ammunition which have been modified to accept no more than ten rounds and which are not capable of being readily restored to a capacity of more than ten rounds.

Stun Devices/Electric Weapons:

[§134-16](#) Stun devices are illegal in Hawaii.

Chemical Sprays:

Ordinances of Honolulu

Sec. 41-37.1 Definitions.

“Pepper spray” means any aerosol container or other device designed to fit into a handbag or a pants pocket and has a trigger-guard, flip top or other mechanism to prevent the accidental release of the spray, that: (1) is capable of emitting oleoresin capsicum (OC), or any derivative thereof, in a vapor or liquid form; (2) contains only the chemical substance oleoresin capsicum, or any derivative thereof, **without containing chloroacetaphenone (CN) or orthochlorobenzalmalonitrile (CS)**; and (3) contains a non-flammable propellant and/or carrier.

Sec. 41-37.3 Restrictions on possession, sale, and use of pepper sprays.

(a) It is unlawful for any person to use any pepper spray for any purpose except:

- (1) Self-defense;
- (2) Defense of another person; or
- (3) Protection of property of the person or of another person.

(b) It is unlawful for any person to sell or offer for sale any pepper spray in the city without a license obtained pursuant to Section 41-37.4.

(c) It is unlawful for any person to sell, offer for sale or otherwise furnish any pepper spray to a minor in the city.

(d) It is unlawful for a minor to purchase, possess or use any pepper spray in the city.

(e) It is unlawful to sell or offer for sale any pepper spray on premises where liquor or alcoholic beverages are consumed.

(f) It is unlawful for any person to alter the manufacturer’s name on any pepper spray to be carried or used in the city.

Note: The above are from the City/County Ordinances of Honolulu. People are stating that there is a ½ ounce maximum that can be carried. (Handgunlaw.us can’t find that in the ordinances.) Handgunlaw.us can’t find in any of the other Cities or Counties of Hawaii having any restrictions. That does not mean there are no restrictions in the other Cities/Counties. You must purchase your Pepper Spray from a Licensed Dealer and receive Instructions on its use. That Dealer would also know the law better than most on this issue.

LEOSA State Information

Hawaii LEOSA Certification and Guideline Links (Informational Links 1/1/18) Visiting for more than 5 days Officers must register their firearm.)

Online Registration of Firearms. You can start your registration and complete upon arriving.

See the LEOSA Section on the [USA Page](#) at Handgunlaw.us for more LEOSA Information.

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 law found

Training Valid for: No Time Period Set

Time Period to Establish Residency: Citizen of US.

Minimum Age for Permit/License: 21

Permit/License Info Public Information: NO

State Fire arm Laws: §134-2 thru §134-9

State Deadly Force Laws: §703-300 thru §703-310

State Knife Laws: 134-12.5 & 134-51 thru 134-53

Chemical/Electric Weapons Laws: HS 134-1 & 16 & Honolulu Ordinances 41-37.1 and 41-37.3

Body Armor Laws: Unknown

Does Your Permit Cover Other Weapons Besides Firearms? NO HRS 134-9

Is carrying of a Concealed Firearm with Permit/License for Defensive Purposes Only While Hunting Legal? NO Only weapons that are authorized for the particular hunt are to be in the hunter's possession, while on the public hunting area. HI Dept of Land and Nat Resources Rules Title 13 Chapter 123-22

Notes

What Does HI Consider A Loaded Firearm?

Vol 3

Part I. General Regulations

§134-1 Definitions.

"**Firearm loaded with ammunition**" and "**loaded firearm**" means a firearm with ammunition present within the firing chamber, revolving cylinder, or within a magazine which is inserted in a firearm.

State Emergency Powers

§134-7.2 Prohibition Against Seizure of Firearms or Ammunition During Emergency or Disaster; Suspension of Permit or License.

(a) Notwithstanding any provision of chapter 127A or any other law to the contrary, no person or government entity shall seize or confiscate, under any emergency or disaster relief powers or functions conferred, or during any emergency period, as defined in section 127A-2, or during any time of national emergency or crisis, as defined in section 134-34, any firearm or ammunition from any individual who is lawfully permitted to carry or possess the firearm or ammunition under part I of this chapter and who carries, possesses, or uses the firearm or ammunition in a lawful manner and in accordance with the criminal laws of this State.

(b) Notwithstanding any provision of chapter 127A or any other law to the contrary, no person or government entity shall suspend, revoke, or limit, under any emergency or disaster relief powers or functions conferred, any lawfully acquired and maintained permit or license obtained under and in accordance with part I of this chapter.

(c) For purposes of this section, "government entity" means any unit of government in this State, including the State and any county or combination of counties, department, agency, institution, board, commission, district, council, bureau, office, governing authority, or other instrumentality of state or county government, or corporation or other establishment owned, operated, or managed by or on behalf of this State or any county. [L 2010, c 96, §1; am L 2014, c 111, §7]

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.

Hawaii 21 Y/O [§134-2](#) Hawaii requires all firearms to be registered.

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

STATE OF HAWAII											
Report of Firearms and Ammunitions Acquired or in Possession under the Provisions of the Laws of this State											
NAME						FACTORY NUMBER					
RESIDENCE						CAL.			TYPE		
BUSINESS						OCCUPATION					
SOCIAL SEC#		COMPLEX	SEX	HGT	WGT	HAIR	EYES	AGE	DOB		
ACQUIRED FROM				REWARDS				PLACE OF BIRTH			
DATE RECD	QUANT	DESCRIPTION				MAKERS NAME		FACTORY NO.			
								S 0850			
SOCIAL SECURITY NO.		SIGNATURE				DATE					

To see a larger version of this Registration click [Here](#)

Updates to this Page

[Archive of Previous Updates](#) 1

8/20/17 – All Links Checked.

11/24/17 - Chemical Sprays Updated in Chem Sprays/Stun Guns/Higher Cap Mags Section.

1/2/18 – LEOSA Section Updated With New Link to Critical Info and Online Registration.

2/10/18 – All Links Checked.

6/23/18 – All Links Checked.