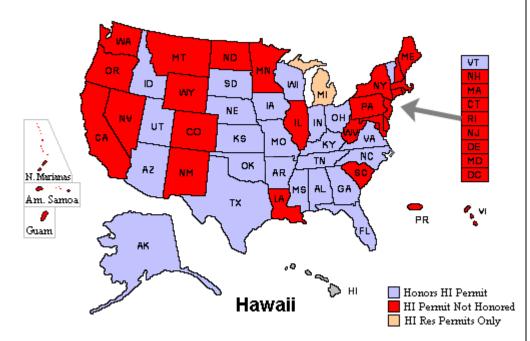


Must Inform Officer Immediately: YES

(See Must Inform Section)



Note: Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Dakota, Ohio, Oklahoma, South Dakota, South Carolina, Tennessee, Texas, Utah, Vermont, West Virginia, and Wyoming have "Permitless Carry"

Anyone who can legally possess a firearm may carry in these states without a Permit. Check each states page for age or other restrictions that may apply.

Hawaii CCW Links

Honolulu PD Firearm Site

Hawaii PD Firearm Site

Kaua'i PD Firearm Site

Maui PD Firearm Site

Carry App HPD

Maui PD FAQs

Honolulu PD FAQs

HPD Permit to Acquire

Registration Mandatory

State Gun Laws

State Statutes

State Admin Rules

2nd St Admin Rules Link

St. Code on Firearms

State Attorney General

Age to Carry a Firearm In Other States

<u>Last Updated:</u> 1/24/2024

Hawaii Co. Ordinances Honolulu City/Co. Ordinances Kaua'i Co. Ordinances Maui Co. Ordinances

Permits/Licenses This State Honors Listed Below

Hawaii does not honor any other states Permits/Licenses.

How to Apply for a Permit

Notice: Each County in Hawaii issues licenses. The Permit is valid State Wide and expires after 4 years. Visit each counties link for how to apply. Each county can have a few different rules. The links to each counties Issuing Authority/Information: Hawaii Co., Honolulu Co., Kaua*i Co., Maui Co., and Kalawao County. Kalawao County does not have a County Government and is a judicial district of Maui County. Those living in Kalawao County would most likely apply in Maui County.

Maui Police Department's Concealed Carry Weapon Policy 1/1/2024

Honolulu Police Department Registration/Carry permit and Weapons Policy

134-9 Licenses to Carry.

- (a) The chief of police of the county shall grant a license to an applicant to carry a pistol or revolver and ammunition concealed on the licensee's person within the State, if the applicant:
 - (1) Satisfies each of the criteria established by or pursuant to subsection (d);
 - (2) Is not prohibited under section $\underline{134-7}$ from the ownership, possession, or control of a firearm and ammunition;
 - (3) Is not found to be lacking the essential character or temperament necessary to be entrusted with a firearm as set forth in subsection (h);
 - (4) Is a citizen, national, or lawful permanent resident of the United States or a duly accredited official representative of a foreign nation;
 - (5) Is a resident of the State; and
 - (6) Is of the age of twenty-one years or more.
- (c) The chief of police of the appropriate county, or designated representative of the chief of police, 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 if the applicant is not a citizen of the united States, before any determination to grant a concealed or unconcealed license is made
- (d) To be eligible to receive a license to carry a concealed or unconcealed pistol or revolver on the licensee's person, the applicant shall:
 - (1) Submit the appropriate carry license application, in person, to the chief of police of the appropriate county, with:
 - (A) All fields on the application form completed and all questions answered truthfully, under penalty of law:
 - **(B)** All required signatures present on the application;
 - (C) Any required documents attached to the application; and
 - (**D**) Payment of the nonrefundable license application fee required under this section;
 - (2) Be the registered owner of the firearm or firearms for which the license to carry will be issued; provided that this paragraph shall not apply to detectives, private detectives, investigators, and guards with an active license issued pursuant to <u>chapter 463</u>;
 - (3) Not be prohibited under section <u>134-7</u> from the ownership possession, or control of a firearm;
 - (4) Have completed a course of training as described in subsection (c) and be certified as qualified to use the firearm or firearms for which the license to carry will be issued in a safe manner; and
 - (5) Sign an affidavit expressly acknowledging that:
 - (A) The applicant has read and is responsible for understanding and complying with the federal, state, and county laws governing the permissible use of firearms and associated requirements, including:
 - (i) The prohibition on carrying or possessing a firearm in certain locations and premises;
 - (ii) The prohibition on carrying more than one firearm on the licensee's person at one time:
 - (iii) The prohibition on carrying a firearm on private property of another person without the express authorization of the owner, lessee, operator, or manager of the private property;
 - (iv) The requirement to maintain possession of the license on the licensee's person while carrying a firearm;

- (v) The requirement to disclose information regarding the carrying of a firearm when stopped by law enforcement:
- (vi) The provision for absolute liability for injury or property damage proximately caused by a legally unjustified discharge of a firearm under section 663-9.5; and
- (vii) Laws regarding the use of deadly force for self-defense or the defense of another;
- **(B)** A license to carry issued under this section shall be void if a licensee becomes disqualified from the ownership, possession, or control of a firearm pursuant to section <u>134-7(a)</u>, (b), (d), or (f);
- (C) The license shall be subject to revocation under section $\frac{134-13}{1}$ if a licensee for any other reason becomes disqualified under section $\frac{134-7}{1}$ from the ownership, possession, or control of a firearm; and
- **(D)** A license that is revoked or that becomes void shall be returned to the chief of police of the appropriate county within forty-eight hours after the license is revoked or becomes void.
- (e) The course of training for issuance of a license under this section may be any course acceptable to the licensing authority.......

Note: Firearms Instructors will be certified by the Chief of Police of the county. The certified instructors should know all the certificate requirements to meet the standards of that county. Must be in person training and have a live fire element. They should put out a list of certified instructors.

- (g) An applicant for a license under this section shall:
 - (1) Sign a waiver at the time of application, allowing the chief of police of the county issuing the license or a designee of the chief of police access to any records that have a bearing on the mental health of the applicant; and
 - (2) Identify any health care providers who possess or may possess the records described in paragraph (1).
- (i) A nonrefundable fee of \$150 shall be charged for each license application submitted under this section. The fee shall be chargeable by and payable to the appropriate county and shall be used for expenses related to police services. The issuing authority shall waive the fee required by this subsection upon a showing of financial hardship by the applicant.
- (m) Unless renewed, a concealed or unconcealed license shall expire four years from the date of issue.
- (p)As a precondition for the renewal of licenses issued under this section, the chief of police of each county may establish reasonable ·continuing education, training, and certification requirements, including requirements pertaining to the safe handling of firearms and shooting proficiency. A nonrefundable fee of \$50 shall be charged for each license renewal application submitted under this section....... The issuing authority shall waive the fee required by this subsection upon a showing of financial hardship by the applicant.
- (q) No person carrying a firearm pursuant to a license issued under this section shall intentionally, knowingly, or recklessly carry more than one firearm on the licensee's person at one time.
- (r) A license issued by the chief of police of a county within the State under subsection (a) to carry a pistol or revolver and ammunition concealed on the licensee's person shall be valid for use in each county within the State.

 am L 2023, c 52, §7

Non-Resident Permits

UNKNOWN at this time! State law only states 21 and a US Citizen. State Law and the ordinances of the different counties never state Resident of Hawaii.

Places Off-Limits Even With a Permit/License Per State Law

§134-A Prohibition Against Carrying a Firearm In a Sensitive Location; (New Section)

Prohibition against carrying a firearm on the private property of another person without authorization;

- (a) A person with a license issued under section <u>134—9</u>, or authorized to carry a firearm in accordance with title 18 United States Code section <u>926B</u> or <u>926C</u>, shall not intentionally, knowingly, or recklessly carry or possess a loaded or unloaded firearm, whether the firearm is operable or not, and whether the firearm is concealed or unconcealed, while in any of the following locations and premises within the State:
- (I) Any building or office owned, leased, or used by the State or a county, and adjacent grounds and parking areas, including any portion of a building or office used for court proceedings, legislative business, contested case hearings, agency rulemaking, or other activities of state or county government;
- (2) Any public or private hospital, mental health facility, nursing home, clinic, medical office, urgent care facility, or other place at which medical or health services are customarily provided, including adjacent parking areas;
- (3) Any adult or juvenile detention or correctional facility, prison, or jail, including adjacent parking areas;
- (4) Any bar or restaurant serving alcohol or intoxicating liquor as defined in section <u>281—1</u> for consumption on the premises, including adjacent parking areas;
- (5) Any stadium, movie theater, or concert hall, or any place at which a professional, collegiate, high school, amateur, or student sporting event is being held, including adjacent parking areas;
- (6) All public library property, including buildings, facilities, meeting rooms, spaces used for community programming, adjacent grounds, and parking areas;
- (7) The campus or premises of any public or private community college, college, or university, and adjacent parking areas, including buildings, classrooms, laboratories, research facilities, artistic venues, and athletic fields or venues;
- (8) The campus or premises of any public school, charter school, private school, preschool, summer camp, or child care facility as defined in section 346—151, including adjacent parking areas, but not including:
 - (A) A private residence at which education is provided for children who are all related to one another by blood, marriage, or adoption; or
 - **(B)** A dwelling when not used as a child care facility;
- (9) Any beach, playground, park, or adjacent parking area, including any state park, state monument, county park, tennis court, golf course, swimming pool, or other recreation area or facility under control, maintenance, and management of the State or a county, but not including an authorized target range or shooting complex;
- (10) Any shelter, residential, or programmatic facility or adjacent parking area operated by a government entity or charitable organization serving unhoused persons, victims of domestic violence, or children, including children involved in the juvenile justice system;
- (11) Any voter service center as defined in section 11-1 or other polling place, including adjacent parking areas;
- (12) The premises of any bank or financial institution as defined in section 211D-1, including adjacent parking areas;
- (13) Any place, facility, or vehicle used for public transportation or public transit, and adjacent parking areas, including buses, paratransit vans, bus shelters and terminals (but not including bus stops located on public sidewalks), trains, rail stations, and airports;

- (14) Any amusement park, aquarium, carnival, circus, fair, museum, water park, or zoo, including adjacent parking areas; or
- (15) Any public gathering, public assembly, or special event conducted on property open to the public, including any demonstration, march, rally, vigil, protest, picketing, or other public assembly, for which a permit is obtained from the federal government, the State, or a county, and the sidewalk or street immediately adjacent to the public gathering, public assembly, or special event; provided that there are signs clearly and conspicuously posted at visible places along the perimeter of the public gathering, public assembly, or special event.
- (b) This section shall not apply to a person in an exempt category identified in section $\underline{134-11}$ (a). It shall be an affirmative defense to any prosecution under this section that a person is:
 - (7) Carrying a firearm pursuant to a license issued under section <u>134-9</u> or in accordance with title 18 United States Code section <u>926B</u> or 926C in the immediate area surrounding the person's vehicle within a parking area for the limited purpose of storing or retrieving the firearm;
- (c) The presence of a person in any location or premises listed in subsection (a) shall be prima facie evidence that the person knew it was a location or premises listed in subsection (a).
- (d) Where only a portion of a building or office is owned, leased, or used by the State or a county, this section shall not apply to the portion of the building or office that is not owned, leased, or used by the State or a county, unless carrying or possessing a firearm within that portion is otherwise prohibited by this section.
- (g) If any ordinance of any county of the State establishing locations where the carrying of firearms is prohibited is inconsistent with this section or with section 134-E, the ordinance shall be void to the extent of the inconsistency.

 SB 1230 2023

§134-C Leaving Unsecured Firearm in Vehicle Unattended; Penalty. (New Section)

- (a) No person shall intentionally, knowingly, or recklessly store or otherwise leave a loaded or unloaded firearm out of the person's immediate possession or control inside a vehicle without first securely locking the firearm in a safe storage depository that is out of sight from outside of the vehicle.
- (b) For purposes of this section, "safe storage depository" means a safe or other secure impact- and tamper-resistant container that, when locked, is incapable of being opened without a key, keypad, combination, or other unlocking mechanism and is capable of preventing an unauthorized person from obtaining access to or possession of the firearm contained therein. A vehicle's trunk or glove box alone, even if locked, is not a safe storage depository.

 SB 1230 2023

§134-D Unlawful Conduct While Carrying a Firearm; Penalty. (New Section)

- (a) A person carrying a firearm shall not:
 - (1) Consume alcohol or intoxicating liquor;
 - (2) Consume a controlled substance;
 - (3) Be under the influence of alcohol or intoxicating liquor; or
 - (4) Be under the influence of a controlled substance.
- **(b)** As used in this section:
- "Alcohol" and "intoxicating liquor" shall have the same meaning as in section 281-1.
- "Controlled substance" means a drug, substance, or immediate precursor in schedules I through III of part II of chapter 329.

 SB 1230 2023

§134-E Carrying or Possessing A Firearm on Private Property of Another Person Without Authorization; Penalty. (New Section)

- (a) A person carrying a firearm pursuant to a license issued under section <u>134-9</u> shall not intentionally, knowingly, or recklessly enter or remain on private property of another person while carrying a loaded or unloaded firearm, whether the firearm is operable or not, and whether the firearm is concealed or unconcealed, unless the person has been given express authorization to carry a firearm on the property by the owner, lessee, operator, or manager of the property.
- (c) For purposes of this section: "Private entity" means any homeowners' association, community association, planned community association, condominium association, cooperative, or any other nongovernmental entity with covenants, bylaws, or administrative rules, regulations, or provisions governing the use of private property.

"Private property" does not include property that is owned or leased by any governmental entity.

"Private property of another person" means residential, commercial, industrial, agricultural, institutional, or undeveloped property that is privately owned or leased, unless the person carrying a firearm is an owner, lessee, operator, or manager of the property, including an ownership interest in a common element or limited common element of the property;.......

§134-G Failure to Conceal a Firearm by a Concealed Carry Licensee; Penalty. (New Section)

(a) A person commits the offense of failure to conceal a firearm by a concealed carry licensee if a person is carrying a firearm pursuant to a license issued under section 134-9(a) and intentionally, knowingly, or recklessly causes alarm to another person by failing to conceal the firearm, even briefly, whether the firearm was loaded or not, and whether operable or not.

SB 1230 2023

§134-1, Definitions

"Concealed" means, in relation to a firearm, that the firearm is entirely hidden from view of the public and not discernible by ordinary observation, in a manner that a reasonable person without law enforcement training would be unable to detect the presence of the firearm.

"Unconcealed" means not concealed.

am L 2023, c 52, §3

§134-E Authority of Counties. (New Section)

Nothing in this chapter shall be construed to affect the authority of any county to impose requirements relating to firearms that exceed the statewide provisions established in this chapter, including but not limited to prohibitions against carrying or possessing a firearm in additional locations or premises within that county."

SB 1230 2023

Hawaii County Places Off Limits Per Local Ordinance/s

Section 14-115 Definitions. HI_Co_Bill_220_2022)

As used in this article, unless the context clearly requires otherwise:

Under the influence" means the presence of any amount of alcohol, intoxicating or hallucinatory drug, or substance in the blood or breath.

2022, or d 22-130, sec 2

Section 14-117 Licenses to Carry Concealed and Unconcealed Firearms.

A person granted a license to carry a concealed or unconcealed firearm shall have the license card in their possession when carrying the firearm in public, concealed or unconcealed 2022, or d 22-130, sec 2

Section 14-118 Sensitive Places Prohibition; Exceptions.

- (a) Any person granted a license to carry a concealed or unconcealed firearm shall not carry such licensed firearm in the following sensitive places:
 - (1) Hospitals, medical facilities, medical offices, and/or medical clinics, except where permission is granted by the administrator of the facility;
 - (2) Schools, colleges, universities, and/ or places where persons are assembled for educational purposes, except where permission is granted by the institution;
 - (3) Daycare centers, playgrounds, and parks, except where permission is granted by the administrator of the facility;
 - (4) Churches or religious assemblies, except where permission is granted by the administrator of the church, facility, or congregation;
 - (5) Voter service centers or places of deposit, and any appurtenances thereto, as defined by section <u>11-1</u>, Hawaii Revised Statutes;
 - (6) Government buildings and the accompanying parking lots attached to such buildings, except when the licensed firearm is kept in the vehicle unloaded with an affixed trigger lock or in a locked case;
 - (7) Private property open to the public where it is conspicuously posted that public carry of firearms is not allowed:
 - (8) Public transit facilities and any mode of transportation utilized for public transit; and
 - (9) Bars, restaurants, and establishments that serve alcohol for consumption on its premises.
 - (10) Places where people are assembled for an event, social gathering, rally, demonstration, or public exhibition where it is conspicuously posted by the organizers that public carry of firearms is not allowed.

(b) Subsection (a) Shall Not Apply to:

- (1) A private security officer when acting in the official capacity of the officer's scope of employment;
- (2) A law enforcement officer; or
- (3) Any person authorized to carry a firearm under the federal Law Enforcement Officers Safety Act of 2004, as amended. 2022, or d 22-130, sec 2

Section 14-119 Carrying Firearm While Intoxicated or Consuming an Intoxicant Prohibited.

Notwithstanding any provision to the contrary, no person granted a license to carry a concealed or unconcealed firearm shall carry a firearm while consuming or under the influence of alcohol or any intoxicating or hallucinatory drug or substance.

2022, or d 22-130, sec 2

Section 14-119.1 Duty to Inform Law Enforcement Upon Contact.

A person granted a license to carry a concealed or unconcealed firearm and who is in possession of and/or carrying their licensed firearm when contacted by a law enforcement officer, shall immediately inform the law enforcement officer the person is in possession and/or carrying their licensed firearm, and shall present the license to the law enforcement officer.

2022, or d 22-130, sec 2

Chapter 15 Parks and Recreation Section 15-12. Weapons Restricted.

In recreational areas the use and possession of all firearms or other implements designed to discharge missiles, which are capable of destroying animal life, shall conform with all applicable Federal, State and County laws. Such firearms or other implements shall not be used in a manner so as to endanger persons or

property. The possession of loaded firearms or other implements, **except by law enforcement officers**, in developed, populated, or concentrated use areas is prohibited. (1983 CC, c 15, art 2, sec 15-12.)15-

Honolulu Places Off Limits Per Local Ordinance/s

Note: Honolulu has passed <u>Bill 57</u> making places in Honolulu off limits. The Ordinance effective May 1, 2023 is 5 pages long and too large to post here. <u>Honolulu Off Limits</u>

Kaua'i County Places Off Limits Per Local Ordinance/s

Sec. 22-26.1 Definitions.

When used in this Article the following wording or phrase shall have the meaning given in this Section:

"Public grounds" means all grounds that are under the control and supervision of the County of Kaua'i, either by purchase, gift, or otherwise for the use and benefit of the public.

Ord. No. 1029, April 27, 2018

Sec. 22-26.2 Prohibitions in Public Grounds.

No person at a public ground, except for law enforcement officers, shall use, carry, or possess whips, firearms, and weapons of any description, except for bows and arrows for archery competitions and air rifles for air rifle competitions when authorized by the Director or designated representative on a permit.

Ord. No. 1029, April 27, 2018

Sec. 19-1.4 General Prohibitions Applicable to All Parks and Recreation Facilities.

- (a) No person at a park or recreation facility shall:
 - (8) Use, carry, or possess whips, firearms, and weapons of any description, except for bows and arrows for archery competitions and air rifles for air rifle competitions when authorized by the Director or designated representative on a permit.

 Ord. No. 1107, March 15, 2022

Kaua'i County Ordinances states you must have a permit issued by the police to carry self-defense sprays.

Kaua'i Co. Electronic Gun Information

Kaua'i Co. Pepper Spray Application

Taking Firearms into Hawaii

Maui Co. has more Information on Registration of firearms on visitors.

§134-3 Registration, Mandatory, Exceptions. (a) Every resident or other 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 five 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.

 am L 2020, c 68, §2 and c 74, §5]

§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.

Amended by L 2019, c 150,§ 4,

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 <u>134-1 thru 134-53</u>.

Airports

HI Admin Rule §19-14-3 Conduct of the Public.

(e) Firearms, explosives and incendiary devices. Except for federal, state, and county law enforcement officers, armored car personnel making pickups and deliveries, authorized by the director, from and to airport tenants or permittees, and other employees authorized by their air carriers to carry firearms, no person may enter a sterile area, or board or attempt to board an air carrier aircraft while possessing on or about his person (including carry-on baggage) any firearm, explosive or incendiary device.

4/17/09

Rules Regulating Wildlife Sanctuaries

HI Admin Code §13-126-31 Firearms and Other Weapons.

- (a) No person shall use or possess bow and arrows, crossbows, firearms, pellet or BB guns, slingshots, or other implements designed to discharge projectiles except as provided herein.
- (b) Firearms and other weapons may be used or possessed if done so in accordance with section 13-126-35 and other rules of the department, except in sanctuaries that are closed in accordance with section 13-126-6. Firearms and other weapons shall be unloaded when transported through non-hunting areas of the premises.

'Iolani Palace State Monument Restrictions

HI Admin Rule §13-146-70 'lolani Palace State Monument Restrictions

- (a) All other rules in this chapter shall apply to 'lolani Palace State Monument except as provided herein.
 - (12) weapons of any type, except those specifically permitted by the Department for ceremonial and reenactment events;

 Oct 8, 2020

Kaho'Olawe Island Reserve

HI Admin Rules §13-261-14 Prohibited Activities

(b)(5) To possess or use or discharge any firearm, bow and arrow, spear gun or any other weapon, trap, snare, poison, or any device designed to take, capture, or kill wildlife.

July 6, 2002

Note: Below are Hawaii Admin Rules Covering St. Parks/Forest Preserves and University of Hawaii. They have wording stating: **all applicable federal, state and county statutes, ordinances, and rules**. Handgunlaw.us believes this would mean in possession of a Permit to Carry but do use caution as the law can be read in different ways and will be updated when more information becomes available.

State Parks and Forest Reserves

HI Admin Rule §13-146-19 Firearms and Other Weapons (State Parks)

- (a) No person shall use or possess bow and arrows, crossbows, firearms, pellet or BB guns, paintball guns, slingshots, or other implements designed to discharge missiles except as provided herein.
- (b) Firearms and other weapons may be used or possessed if in accordance with section 13—146—41. The use or possession of firearms, and other weapons, when permitted, shall be subject to all federal, state, and county laws, ordinances, rules and regulations. Firearms and other weapons shall be unloaded when transported through nonhunting areas of the premises

 Oct 8, 2020

HI Admin Code §13-104-9 (State Reserves) Firearms or other weapons. Firearms and other weapons, including those discharging projectiles by air or gas operation; or bow and arrow, are prohibited except as permitted by department hunting rules and are subject to all applicable federal, state, and county statutes, ordinances, and rules.

Jan. 16, 2021

Note: The law on carrying in some places seems to allow for legal carry by permit holders. Others are saying that State/National Parks and Forest Reserves are off limits even with a Legal Permit. Use Caution.

University of Hawaii

HI Admin Code §20-26-27 Firearms or other weapons. Firearms, bows and arrows, knives with blade length greater than three (3) inches and other weapons are prohibited within the UH management areas, except when permitted by the hunting rules of the department of land and natural resources or for use by law enforcement officers. The use and possession of any such weapons are subject to all applicable federal, state and county statutes, ordinances, and rules.

Jan 23, 2020

Unencumbered Public Lands

Note: Unencumbered Public Land is put here mainly to define it and carry with permit is allowed.

HI Admin Code §13-221-19 Firearms, Traps, and Other Weapons. The use or possession by any person of air guns, pellet guns, firearms, traps, other weapons, or other implements designed to discharge missiles shall be subject to all federal, state, and county laws and rules. Firearms and other weapons shall be unloaded when transported through nonhunting areas.

Feb 06 1988

HI Admin Code §13-221-2 Definitions. As used in this chapter:

- "Unencumbered public lands" mean any lands defined as public lands by section 171-2, HRS, and which have not been:
- (1) Set aside for any purpose, by statute, executive order or otherwise, to a governmental agency, or
- (2) Encumbered by lease, license, permit, easement or otherwise issued by the department.

 Unencumbered public lands include, but are not limited to, beach and coastal areas, submerged lands, and mountainous non-forest reserve, wildlife, or park areas (hereinafter called the "premises").

 Feb 06 1988

Notice: Go Here to see Stun Gun Statutes. Hawaii now allows the possession and carrying due to law suit.

For Federal Restrictions on Firearms see the **USA Page**.

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

"YES/NO"? They could but looks like a warning has to be given first. This is a very anti gun state.

§708-814 Criminal Trespass in the Second Degree.

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

For the purposes of this paragraph, "reasonable warning or request" means a warning or request communicated in writing at any time within a one-year period inclusive of the date the incident occurred, which may be evidenced by a copy of the previously issued written warning or request, whether or not the copy is posted at the premises or retained by the county police department, and which may contain but is not limited to the following information:

Amended by L 2019, c 245, § 2,

Must inform Officer Immediately on Contact by Law?

YES

§134~D Duty To Maintain Possession of License While Carrying a Firearm; Duty to Disclose; Penalty. (New Section)

- (a) A person carrying a firearm pursuant to a license issued under section <u>134-9</u>, or in accordance with title 18 United States Code section 926B or 926C, shall have in the person's immediate possession:
 - (1) The license issued under section <u>134-9</u> or credentials as required under title 18 United States Code section <u>926B</u> or <u>926C</u>; and
- (2) Documentary evidence that the firearm being carried is registered under this chapter, and shall, upon request from a law enforcement officer, present the license or credentials and evidence of registration.
- **(b)** When a person carrying a firearm, including but not limited to a person carrying a firearm pursuant to a license issued under section <u>134-9</u> or in accordance with title 18 United States Code section <u>926B</u> or <u>926C</u>, is stopped by a law enforcement officer or is a driver or passenger in a vehicle stopped by a law enforcement officer, the person carrying a firearm **shall immediately disclose** to the law enforcement officer that the person is carrying a firearm, and shall, upon request:
 - (1) Identify the specific location of the firearm; and
 - (2) Present to the law enforcement officer a license to carry a firearm issued under section 134-9 or credentials as required under title 18 United States Code section 926B or 926C. SB 1230 2023

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

Carry Allowed in these Areas:

State/National Parks: NO Admin Code § 13-146-19

State Wildlife Sanctuaries: NO **Admin Code §13-126-31**

State Forests Reserves: NO **Admin Code §13-104-9 Forest Reserve Rules**

State Game Management Areas: NO HI Admin Code §13-123-22

Road Side Rest Areas: Not in Buildings YES **§134-26**

RV/Car Carry Without a Permit/License

You can't carry a loaded handgun in any vehicle without a Valid Hawaii Permit to Carry.

§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 unless you have a permit issued by Hawaii that is issued for Open Carry. When Hunting with a pistol with the proper license a pistol can be carried and it must be carried openly.

State Preemption

§134-E Authority of Counties. (New Section)

Nothing in this chapter shall be construed to affect the authority of any county to impose requirements relating to firearms that exceed the statewide provisions established in this chapter, including but not limited to prohibitions against carrying or possessing a firearm in additional locations or premises within that county." SB 1230 2023

§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. Amended by L 2018, c 130,§ 1,

Note: Each county can have restrictions on where firearms can be carried and rules for issuing Licenses.

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

"NO"

§134-A Prohibition Against Carrying a Firearm In a Sensitive Location; (New Section)

(a) (4) Any bar or restaurant serving alcohol or intoxicating liquor as defined in section <u>281—1</u> for consumption on the premises, including adjacent parking areas;

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

Note: On 3/29/19 US District Judge Roger T. Benitez of the US Dist CT Southern Dist of California <u>Ruled</u> that CA Penal Code § 32310 (Code at link and below) ban on the possession/importation of Magazines

that could hold more than 10 rounds as Unconstitutional and Enjoining Enforcement. He then stayed his decision until appeals were heard.

On 8/14/2020 the <u>US 9th Circuit Affirmed</u> the Original Decision by District Judge Robert Benitez. He also stayed his order until any appeals were heard. The State of California can ask for an en banc panel of judges from the 9th or can ask to go to the US Supreme Court. The ban on mags is still in effect and will be unless Judge Benitez lifts his stay or the 9th Circuit lifts it. This ruling if not appealed would make the California and Hawaii mag bans unconstitutional and their laws on such null of void. This would also affect City Mag Bans. This ruling also is in conflict with other District Courts rulings and these are cases the US Supreme Court hears as the lower courts can't agree. Time will tell.

§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.

L 1992, c 286, §§3, 4

Stun Devices/Electric Weapons:

§134-81 Definitions. As Used in This Part:

"Cartridge" means any device or object that is designed to be used with an electric gun to project a missile. "Cartridge" includes but is not limited to a Taser cartridge.

"Electric gun" means any portable device that is designed to discharge electric energy, charge, voltage, or current into the body through direct contact or utilizing a projectile. "Electric gun" includes but is not limited to devices commonly referred to as stun guns and Tasers. "Electric gun" does not include any automatic external defibrillator used in emergency medical situations.

L 2021, c 183, pt of §2

§<u>134-82</u>- Restrictions on Use, Sale, Offer for Sale, Distribution, and Transfer of Electric Guns and Cartridges. L 2021, c 183, pt of §2

- (a) It shall be unlawful for any person to knowingly or recklessly use an electric gun for any purpose except:
 - (1) Self-defense;
 - (2) Defense of another person; or
 - (3) Protection of property of the person or of another person.
- (d) It shall be unlawful for any person to knowingly sell, offer to sell, distribute, or otherwise transfer an electric gun or cartridge to a person less than twenty-one years of age.

 L 2021, c 183, pt of §2

§134-84 Sale, offer for sale, distribution, or transfer of electric guns or cartridges

(f) Before completing a sale, distribution, or other transfer of an electric gun, the licensee or an employee of the licensee shall conduct a criminal history background check of the recipient. At minimum, the criminal history background check shall be a name-based search of the adult criminal conviction records maintained by the Hawaii criminal justice data center. The licensee or employee of the licensee shall require the recipient to review a printed copy of the results of the background check. After the review, the recipient shall sign and date a declaration. The declaration shall be in the following form: "I, (name of recipient), declare under penalty of law that the attached document accurately reflects my adult criminal conviction history in Hawaii. I further declare that I do not have any convictions or charges pending against me that disqualify me from owning an electric gun. I further declare under penalty of law that I am not disqualified from owning an electric gun." The licensee or employee of the licensee shall witness the recipient sign the declaration and sign the declaration as a witness. If the recipient is disqualified from owning an electric gun,

or refuses or is unable to sign or make the declaration, the licensee shall immediately terminate the sale, distribution, or transfer.

- (g) Before completing a sale, distribution, or other transfer of an electric gun, the licensee or an employee of the licensee shall provide an informational briefing to the recipient that includes but is not limited to the following:
 - (1) The safe use and handling of electric guns;
 - (2) Current information about the effects, dangers, risks, and limitations of electric guns;
 - (3) Education on the current state laws on electric guns; and
 - (4) The proper disposal of electric guns.
- (h) Upon completion of the informational briefing, the licensee shall provide a certification of informational briefing that is signed and dated by the recipient and the person who provided the informational briefing acknowledging that the briefing was completed and that the recipient understood the briefing. The certification shall include the names of the recipient and the person who provided the informational briefing and the date of the briefing. The form of the certification shall be as provided by the county office that issued the license to the licensee.

 L 2021, c 183, pt of §2

§134-85 Disposal of Electric Gun or Cartridge.

A person who is not a licensee may sell or otherwise transfer an electric gun or cartridge to a licensee or the chief of police of the appropriate county or designee.

L 2021, c 183, pt of §2

§134-86 Ownership or Possession Prohibited.

(f) No person shall possess an electric gun that is owned by another, regardless of whether the owner has consented to possession of the electric gun.

L 2021, c 183, pt of §2

§134-88 Storage of Electric Gun; Responsibility With Respect to Minors.

- (a) No person shall store or keep any electric gun on any premises under the person's control if the person knows or reasonably should know that a minor is likely to gain access to the electric gun, unless the person:
 - (1) Keeps the electric gun in a securely locked box or other container or in a location that a reasonable person would believe to be secure; or
 - (2) Carries the electric gun on the person or within such close proximity thereto that the minor cannot gain access or control of the electric gun.

 L 2021, c 183, pt of §2

Chemical Sprays:

Ordinances of Hawaii County

Section 14-8. Possession and use of Obnoxious Substance Prohibited.

- (a) No person shall use a shell, cartridge, bomb, gun, or other device capable of emitting any liquid, gaseous, or solid substance or any combination thereof, which is injurious to a person or property, or which is nauseous, sickening, irritating or offensive to any of the senses; to injure, molest, discomfort, discommode, or coerce another in the use or control of their person or property or engage in a "crime of violence" as defined in Hawai'i Revised Statutes Title 37, which involves injury or threat of injury to the person or property of another.
- (b) No person shall possess, discharge, use, transport, sell, or offer to sell any shell, cartridge, bomb, gun, or other device capable of emitting chloroacetophenone (CN), orthochlorobenzylmalononitrile (CS), or their derivatives in any form. (1983 CC, c 14, art 2, sec 14-8; am1995, ord95-90, sec2.)14-8

Ordinances of Honolulu County Includes - Island of O'ahu

Sec. 41-37.1 Definitions.

"Chemical device" means any aerosol container or other device that is capable of emitting chloroacetaphenone (CN), orthochlorobenzalmalononitrile (CS), or oleoresin capsicum (OC), or any combination or derivative thereof, in a vapor or liquid form.

"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 orthochlorobenzalmalononitrile (CS); and (3) contains a non-flammable propellant and/or carrier.

(Added by Ord. 95-49)

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.

 (Added by Ord. 95-49)

Kaua'i County

Kaua'i County Ordinances states you must have a permit issued by the police to carry self-defense sprays.

Sec. 22-15.5 Permits to Acquire Sec. 22-15.8 Violation—Penalty Application to Acquire

Note: The above are from the City/County Ordinances of Honolulu and Kaua'i County. People are stating that there is a ½ ounce maximum that can be carried in Honolulu. (Handgunlaw.us can't find that in the ordinances.) Handgunlaw.us can't find in any of the other Cities or Counties of Hawaii not listed 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

LEOSA Information from Hawaii Criminal Justice Division. (Added 10/10/18)

Hawaii LEOSA Certification and Guideline Links Visiting for 5 days must register firearm with police.

LEOSA Application for Hawaii State Firearm Certification

Regulation "State of Hawaii Firearm Certification for Qualified Retired Law Enforcement Officers"

See the LEOSA Section on the USA Page at Handgunlaw.us for more LEOSA Information.

Attorney General Opinions/Court Cases

US Dist Court S. Dist of CA Ruling that § 32310 Magazine Ban Ruled Unconstitutional. (3/2019)

US Court of Appeals 9th Circuit. Upheld Dist Court Ruling on Mag Ban Above. (8/2020)

US Ct of Appeals 9th Circuit – Rules Permit Needed to Open Carry (3/2021) Young v Hawaii

HI AG Official Opinion – Bruen and Striking Down of "Proper Cause." (7/2022)

Airport Carry/Misc. Information

Airport Carry: NO Hawaii Administrative Rules 19-14-3 (e)

Training Valid for: 4 Years

Time Period to Establish Residency: Upon Attaining HI Drivers License or State Issued ID

Minimum Age for Permit/License: 21 HRS §134-9

Permit/License Info Public Information: NO

State Firearm Laws: Hawaii Statutes - §134-2 thru §134-90

Hawaii Co. - HI_Co_Bill_220_2022

Honolulu Includes - Island of O'ahu - Ordinances 41-37.1 and 41-37.3

<u>Kauaʻi Co.</u> – Maui Co.

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

State Knife Laws: <u>134-12.5 & 134-51 thru 134-53</u>

Chemical/Electric Weapons Laws: (Elec) State - HS 134-81 thru 134-90

Hawaii Co. – Ordinance (Chem) Section 14-8

Honolulu - Includes Island of O'ahu - Ordinances 41-37.1 & 41-37.3 E-Guns Info

Kaua'i Co. – E-Gun Info Pepper Spray Info

Maui Co. (Includes Kalawao Co.) - No known ordinance at this time.

Body Armor Laws: Unknown

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

State Safe Storage/Access by Minors Statute/s:

HI Statutes - § 134-10.5 and § 707-714.5 §134-88 covers Electric Weapons

Hawaii Co. – No known ordinance at this time.

Honolulu - Includes Island of O'ahu - No known ordinance at this time.

Kaua'i Co. - No known ordinance at this time.

Maui Co. (Includes Kalawao Co.) - No known ordinance at this time.

Is carrying of a Concealed Firearm with 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(2)(J)

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.

L 2021, c 183, §4

State Emergency Powers

<u>§134-7.2</u> 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 <u>US Code 42-5207</u> 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.

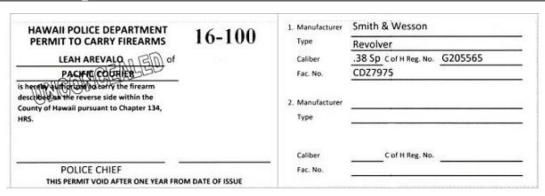
Hawaii 21 Y/O §134-2 Hawaii requires all firearms to be registered.

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



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To see a larger version of this Registration click Here

Updates to this Page

202 Links*

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12/1/2022 – Chemical sprays Hawaii Co Ordinance Added. Numerous Additions of Links to Airport/Misc Section. Formatting Different Areas as Hawaii has 4 Issuing Agencies All With Different Rules/Regs.

12/12/2022 - Places Off Limits for Hawaii County, Must Inform and Restaurant Carry Sections Updated.

1/1/2023 – Alabama Added Under Map as a Permitless Carry State.

2/25/2023 - All Links Checked.

4/15/2023 - For Honolulu Places Off Limits, Must Inform Officer, No Gun Signs and Carry In Restaurants Section Updated.

7/1/2023 – Major Update to Many Sections Per SB 1230. . . . Florida Now Honors the Hawaii Permit to Carry. Florida Now A Permitless Carry State. All Links Checked.

8/1/2023 - North Dakota Permitless Carry no Longer Restricted to ND Residents. Listing Under Map Updated.

9/2/2023 – Nebraska Added as a Permitless Carry State Under Map.

10/14/2023 - Al; Links Checked.

1/1/2024 - Maui Police Department's Concealed Carry Weapon Policy Added to How to Apply Section.

1/8/2024 - All Links Checked.

1/13/2024 – Maui Co Links for CCW Application Rules/FAQs and Registration Links Updated.

1/24/2024 - Honolulu Police Department Registration/Carry permit and Weapons Policy Link Added to How to Apply Section.