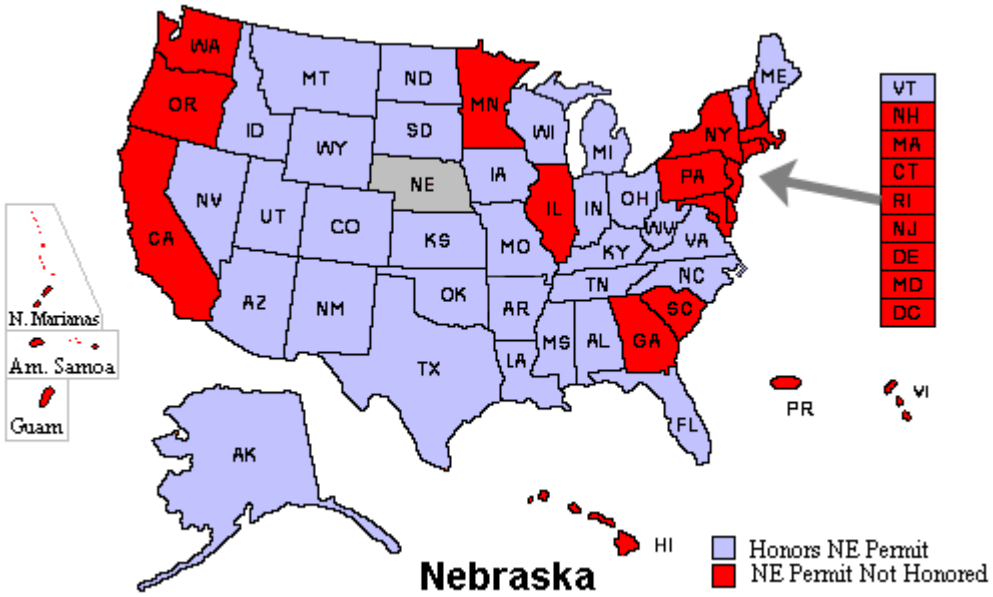
Nebraska

Shall Issue **Must Inform Officer: YES**
Must Inform EMS Also
(See Must Inform Section Below)



Links

[State CCW Site]
[CCW Application]
[How to Apply/Renew]
[State FAQ Site]
[St. Certified Instructors]
[State Statutes]
[State Admin Rules]
[CHP Admin Rules]
[State Reciprocity Info]
[State Attorney General]
[Secretary of State]

Last Updated: 5/24/16

Note: **Alaska**, **Arizona**, **Kansas**, **Maine**, **Mississippi**, **Vermont** and **West Virginia** have **"Permitless Carry."** Anyone who can legally possess a firearm may carry it concealed in those states. Check each respective state page for more information and other restrictions that may apply.

Permits/Licenses This State Honors Listed Below

Alaska	Arizona	Arkansas	California	Colorado	Connecticut
Florida	Idaho	Illinois	**Iowa**[1]	Hawaii	Kansas
Kentucky	Louisiana	Maine	Michigan	Minnesota	Missouri
Montana	Nevada	New Jersey	New Mexico	North Carolina	**North Dakota**[2]
Ohio	Oklahoma	Oregon	Rhode Island	South Carolina	**South Dakota**[3]
Tennessee	Texas	Utah	Virginia	West Virginia	Wisconsin
Wyoming	DC				

[1]IA - Only Honors the IA Non-Professional Permit.
[2]ND - Only honors the ND Class 1 Permit.
[3]SD - Only honors the SD Enhanced Permit.

Nebraska Honors Non-Resident Permit/Licenses From the States They Honor. They will not honor any permits/licenses issued to those who are not 21 years of age or older.

Reciprocity/How This State Honors Other States Permit/Licenses

69-2448. License or Permit Issued by Other State or District of Columbia; How Treated.

A valid license or permit to carry a concealed handgun issued by any other state or the District of Columbia shall be recognized as valid in this state under the Concealed Handgun Permit Act if (1) the holder of the license or permit is not a resident of Nebraska and (2) the Attorney General has determined that the standards

for issuance of such license or permit by such state or the District of Columbia are equal to or greater than the standards imposed by the act. The Attorney General shall maintain and publish a list of such states and the District of Columbia which he or she has determined have standards equal to or greater than the standards imposed by the act.

How to Apply for a Permit

Permit applicants who have successfully passed an approved training course will be required to visit one of the Nebraska State Patrol Troop Area Headquarters or the Criminal Identification Division in Lincoln to apply for a concealed handgun permit. Applications forms will be available at each Troop Area Headquarters and on the Nebraska State Patrol **web-site.** Application forms can also be mailed from the Criminal Identification Office upon request by phoning 402-471-4545. Applicants are advised to obtain the application form in advance if possible because the form must be notarized, and notaries may not always be available at Troop Area Headquarters.

Concealed Carry Handgun Permit Information

Troop A Headquarters 4411 S 108th St Omaha NE 402-331-3333	Troop B Headquarters 1401 Eisenhower Ave Norfolk NE 402-370-3456	Troop C Headquarters 3431 Old Potash Highway Grand Island NE 308-385-6000
Troop D Headquarters 300 W South River Rd North Platte NE 308-535-8047	Troop E Headquarters 4500 Avenue I Scottsbluff NE 308-632-1211	Criminal Identification Division 3800 NW 12th St Suite A Lincoln NE 402-471-4545

Application Process

Applicant fingerprints, photograph and signature: A color photograph required for the permit will be taken by the Nebraska State Patrol. Fingerprints of the applicant will be obtained at the time of application by utilizing the live scan equipment of the Nebraska State Patrol's Automated Fingerprint Identification System (AFIS) if that equipment is available at the application site. If this equipment is not available, the applicant shall be fingerprinted on two legible fingerprint cards.

The applicable fee: The permit fee is $100.00. The fee shall be paid with the application and shall be paid in cash or check made payable to the Nebraska State Patrol. When it becomes feasible, payment may also be made with debit or credit cards approved by the Nebraska State Patrol. If a permit is not issued to the applicant, the permit application fee will be refunded to the applicant less the current charge for the required state and federal criminal history record check.

An application which is not complete or legible will not be processed. A notice of deficiency will be mailed to the applicant who will have twenty (20) calendar days to submit information or documents to correct the deficiency. If the deficiency is not corrected within this time period, the application and monies will be refunded to the applicant who will then have to reinitiate the application process to obtain a permit.

Applicant Must Submit the Following at Time of Application:

- **The completed and notarized application form**
- **Proof of training** by providing either the original or a certified copy of a certificate of completion of a Handgun Training and Safety Course approved by the Nebraska State Patrol. Requirements for the training and safety course are found in Section 027 of the regulations. Members of the active or reserve armed forces or members of the National Guard may meet this requirement with

documentation that they have completed handgun training within the previous three (3) years which meets the minimum safety and training requirements for the Handgun Training and Safety Course approved by the Nebraska State Patrol. An applicant for a permit who is certified as an instructor for the Handgun Training and Safety Course and who has actually taught the course may sign his or her own certificate of completion of training without attending a class taught by another instructor

- **Proof of vision** as evidenced on a current Nebraska motor vehicle operator's license or a current statement by a Nebraska licensed ophthalmologist or optometrist certifying that the applicant has been tested and meets the vision requirements prescribed for a Class "O" operator's license - the standard for automobiles (Nebraska Revised Statutes § 60-4,118).
- **Proof of identification** may include current Nebraska motor vehicle operator's license, a Nebraska identification card issued by the Nebraska Department of Motor Vehicles, or a current military identification card
- **Proof of citizenship** can be a birth certificate showing birth in the United States, a copy of naturalization papers, a Certificate of Citizenship issued by the United States Immigration authorities, or a United States passport. (Oct. 2013 Federal Judge & NE AG agreed due to lawsuit that Legal Resident Aliens can also apply)
- **Proof of address**
- **A signature**
- **The applicable fee** At the time of the application submittal, the applicant will be fingerprinted. The concealed handgun permit will bear permit holder's photograph and signature. During the initial visit to the Nebraska State Patrol Troop Area Headquarters, a photograph will be taken and signature will be captured for adherence to the permit upon issuance. A Nebraska Permit/License is valid for 5 years.
- **Permit Term is 5 Years**

Renewal (From the Nebraska State Patrol FAQs.)

Question: How long is the permit valid?

Answer: Your permit will be valid for five years and it can be renewed for five years. The form for initial application of a permit can be used to request a renewal. You must appear in person to renew your CCW Permit. Permit holders will not be required to retake a certified training course if their permit is renewed before it expires. Permit holders who allow their permits to expire, will be required to retake a certified training course.

Question ; How do I renew my permit?

Answer: You will need to go through the same process as you would if you were an initial applicant. Including, appearing in person to be fingerprinted and filling out the same initial application. The only differences are that the fee is only $50.00, you do not need to provide proof of citizenship (since we already have it), and you do not need a new training certificate.

Non-Resident Permits

Nebraska does not issue Permit/Licenses to Non-Residents. 69-2433 allows those in the military service who have a permanent station in Nebraska and their spouse to apply for a permit to carry in Nebraska and are treated as residents of Nebraska. They would apply the same way a resident does.

Places Off-Limits Even With a Permit/License

69-2441. Permit Holder; Locations; Restrictions; Posting of Prohibition; Consumption of Alcohol; Prohibited.

(1)(a) A permit holder may carry a concealed handgun anywhere in Nebraska, **Except Any**:

- Police, Sheriff, or Nebraska State Patrol station or office
- Detention facility, prison, or jail
- Courtroom or building which contains a courtroom
- Polling place during a bona fide election
- Meeting of the governing body of a county, public school district, municipality, or other political subdivision
- Meeting of the Legislature or a Committee of the Legislature
- Financial Institution
- Professional or semiprofessional athletic event
- building, grounds, vehicle, or sponsored activity or athletic event of any public, private, denominational, or parochial elementary, vocational, or secondary school, a private postsecondary career school as defined in section 85-1603, a community college, or a public or private college, junior college, or university
- Place of worship
- Hospital, emergency room, or trauma center
- Political rally or fundraiser
- Establishment having a license issued under the Nebraska Liquor Control Act that derives over one-half of its total income from the sale of alcoholic liquor
- Place where the possession or carrying of a firearm is prohibited by state or federal law
- A place or premises where the person, persons, entity, or entities in control of the property or employer in control of the property has prohibited permit holders from carrying concealed handguns into or onto the place or premises
- Into or onto any other place or premises where handguns are prohibited by state law.

(b) A financial institution may authorize its security personnel to carry concealed handguns in the financial institution while on duty so long as each member of the security personnel, as authorized, is in compliance with the Concealed Handgun Permit Act and possesses a permit to carry a concealed handgun issued pursuant to the act.

(c) A place of worship may authorize its security personnel to carry concealed handguns on its property so long as each member of the security personnel, as authorized, is in compliance with the Concealed Handgun Permit Act and possesses a permit to carry a concealed handgun issued pursuant to the act and written notice is given to the congregation and, if the property is leased, the carrying of concealed handguns on the property does not violate the terms of any real property lease agreement between the place of worship and the lessor.

(2) If a person, persons, entity, or entities in control of the property or an employer in control of the property prohibits a permitholder from carrying a concealed handgun into or onto the place or premises and such place or premises are open to the public, a permitholder does not violate this section unless the person, persons, entity, or entities in control of the property or employer in control of the property has posted conspicuous notice that carrying a concealed handgun is prohibited in or on the place or premises or has made a request, directly or through an authorized representative or management personnel, that the permitholder remove the concealed handgun from the place or premises.

(3) A permitholder carrying a concealed handgun in a vehicle or on his or her person while riding in or on a vehicle into or onto any parking area, which is open to the public, used by any location listed in subdivision (1)(a) of this section, does not violate this section if, prior to exiting the vehicle, the handgun is locked inside the glove box, trunk, or other compartment of the vehicle, a storage box securely attached to the vehicle, or, if the vehicle is a motorcycle, a hardened compartment securely attached to the motorcycle. This subsection

does not apply to any parking area used by such location when the carrying of a concealed handgun into or onto such parking area is prohibited by federal law.

(4) An employer may prohibit employees or other persons who are permitholders from carrying concealed handguns in vehicles owned by the employer.

(5) A permitholder shall not carry a concealed handgun while he or she is consuming alcohol or while the permitholder has remaining in his or her blood, urine, or breath any previously consumed alcohol or any controlled substance as defined in section 28-401. A permitholder does not violate this subsection if the controlled substance in his or her blood, urine, or breath was lawfully obtained and was taken in therapeutically prescribed amounts.

28-1204.04 Unlawful Possession of A Firearm at a School; Penalty; Exceptions; Confiscation of Certain Firearms; Disposition.

(1) Any person who possesses a firearm in a school, on school grounds, in a school-owned vehicle, or at a school-sponsored activity or athletic event is guilty of the offense of unlawful possession of a firearm at a school. Unlawful possession of a firearm at a school is a Class IV felony. This subsection shall not apply to

(a) the issuance of firearms to or possession by members of the armed forces of the United States, active or reserve, National Guard of this state, or Reserve Officers Training Corps or peace officers or other duly authorized law enforcement officers when on duty or training,

(b) the possession of firearms by peace officers or other duly authorized law enforcement officers when contracted by a school to provide school security or school event control services,

(c) firearms which may lawfully be possessed by the person receiving instruction, for instruction under the immediate supervision of an adult instructor,

(d) firearms which may lawfully be possessed by a member of a college or university rifle team, within the scope of such person's duties as a member of the team,

(e) firearms which may lawfully be possessed by a person employed by a college or university in this state as part of an agriculture or a natural resources program of such college or university, within the scope of such person's employment,

(f) firearms contained within a private vehicle operated by a nonstudent adult which are not loaded and
- **(i)** are encased or
- **(ii)** are in a locked firearm rack that is on a motor vehicle, or

(g) a handgun carried as a concealed handgun by a valid holder of a permit issued under the Concealed Handgun Permit Act in a vehicle or on his or her person while riding in or on a vehicle into or onto any parking area, which is open to the public and used by a school if, prior to exiting the vehicle, the handgun is locked inside the glove box, trunk, or other compartment of the vehicle, a storage box securely attached to the vehicle, or, if the vehicle is a motorcycle, a hardened compartment securely attached to the motorcycle while the vehicle is in or on such parking area, except as prohibited by federal law. For purposes of this subsection, encased means enclosed in a case that is expressly made for the purpose of containing a firearm and that is completely zipped, snapped, buckled, tied, or otherwise fastened with no part of the firearm exposed.

18-1703 Cities and villages shall not have the power to regulate the ownership, possession, or transportation of a concealed handgun, as such ownership, possession, or transportation is authorized under the Concealed Handgun Permit Act, except as expressly provided by state law, and shall not have the power to require registration of a concealed handgun owned, possessed, or transported by a permit holder under the act. Any existing city or village ordinance, permit, or regulation regulating the ownership, possession, or transportation of a concealed handgun, as such ownership, possession, or transportation is authorized under the act, except as expressly provided under state law, and any existing city or village ordinance, permit, or

regulation requiring the registration of a concealed handgun owned, possessed, or transported by a permit holder under the act, is declared to be null and void as against any permit holder possessing a valid permit under the act.

Lincoln, NE

Handgunlaw.us strongly suggests before traveling thru or staying in Lincoln you read the Lincoln Ordinances 9.36.110 thru 9.36.150

Omaha, NE

Handgunlaw.us strongly suggests before traveling thru or staying in Omaha you read the Omaha Ordinances Article VII. - Division 1. - Sec. 20-191. Through Sec. 20-259

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

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

"**YES**" **69-2441.** **Nebraska Prohibited Sign**

(2) (2) If a person, persons, entity, or entities in control of the property or an employer in control of the property prohibits a permitholder from carrying a concealed handgun into or onto the place or premises and such place or premises are open to the public, a permitholder does not violate this section unless the person, persons, entity, or entities in control of the property or employer in control of the property has posted conspicuous notice that carrying a concealed handgun is prohibited in or on the place or premises or has made a request, directly or through an authorized representative or management personnel, that the permitholder remove the concealed handgun from the place or premises.

69-2443. Violations; penalties; revocation of permit.

(1) A permitholder who violates subsection (1) or (2) of section 69-2440 or section 69-2441 or 69-2442 is guilty of a Class III misdemeanor for the first violation and a Class I misdemeanor for any second or subsequent violation.

(2) A permitholder who violates subsection (3) of section 69-2440 is guilty of a Class I misdemeanor.

(3) A permitholder convicted of a violation of section 69-2440 or 69-2442 may also have his or her permit revoked.

(4) A permitholder convicted of a violation of section 69-2441 that occurred on property owned by the state or any political subdivision of the state may also have his or her permit revoked. A permitholder convicted of a violation of section 69-2441 that did not occur on property owned by the state or any political subdivision of the state shall not have his or her permit revoked for a first offense but may have his or her permit revoked for any second or subsequent offense.

Note: Handgunlaw.us believes when you come across a business that is posted that you not just walk away. That business needs to know that they lost your business because of their "No Gun" sign. Giving them a "No Firearms = No Money" card would do just that. You can print free "No Firearms = No Money" cards by going **Here**.

Parking Lot Storage Law

69-2441. **Permitholder; Locations; Restrictions; Posting of Prohibition; Consumption of Alcohol; Prohibited.**

(1)(a) A permitholder may carry a concealed handgun anywhere in Nebraska, except any: Police, sheriff, or Nebraska State Patrol station or office; detention facility, prison, or jail; courtroom or building which contains a courtroom; polling place during a bona fide election; meeting of the governing body of a county, public school district, municipality, or other political subdivision; meeting of the Legislature or a committee of the Legislature; financial institution; professional or semiprofessional athletic event; building, grounds, vehicle, or sponsored activity or athletic event of any public, private, denominational, or parochial elementary, vocational, or secondary school, a private postsecondary career school as defined in section 85-1603, a community college, or a public or private college, junior college, or university; place of worship; hospital, emergency room, or trauma center; political rally or fundraiser; establishment having a license issued under the Nebraska Liquor Control Act that derives over one-half of its total income from the sale of alcoholic liquor; place where the possession or carrying of a firearm is prohibited by state or federal law; a place or premises where the person, persons, entity, or entities in control of the property or employer in control of the property has prohibited permitholders from carrying concealed handguns into or onto the place or premises; or into or onto any other place or premises where handguns are prohibited by state law.

(3) A permitholder carrying a concealed handgun in a vehicle or on his or her person while riding in or on a vehicle into or onto any parking area, which is open to the public, used by any location listed in subdivision (1)(a) of this section, does not violate this section if, prior to exiting the vehicle, the handgun is locked inside the glove box, trunk, or other compartment of the vehicle, a storage box securely attached to the vehicle, or, if the vehicle is a motorcycle, a hardened compartment securely attached to the motorcycle. This subsection does not apply to any parking area used by such location when the carrying of a concealed handgun into or onto such parking area is prohibited by federal law.

(4) An employer may prohibit employees or other persons who are permitholders from carrying concealed handguns in vehicles owned by the employer.

Must Inform Officer Immediately on Contact By Law?

"YES"

From the NE State Police FAQs

Q. Do I have to tell people I have a concealed handgun?

A. If you are a permit holder carrying a concealed handgun and are officially contacted by any peace officer or emergency services personnel, you must immediately inform the peace officer or emergency service personnel of the concealed handgun unless you are physically unable to do so. These individuals have the right to determine whether it is necessary to secure the handgun during the contact for the safety of any person.

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

Carry Allowed in these Areas:

State Parks: YES **If not Posted** **NE St. Park Rules on Firearms**

State/National Forests: **Unknown**

State WMA's: YES **Admin Code 163-4-018.06B If Not Posted**

Road Side Rest Areas: YES If Not Posted

RV/Car Carry Without a Permit/License

NE Law is silent on loaded firearms in vehicles. You do have to have a permit/license valid in NE to carry a concealed firearm in or outside a vehicle. It is illegal to carry a loaded Shotgun in a vehicle under NE Game Laws. You can carry a loaded handgun in a vehicle without a permit/license if it is visible. Some cities have ordinances against loaded visible handguns in vehicles W/O a permit. See Note.

Note: Handgunlaw.us strongly suggests before traveling thru or staying in Lincoln read the Lincoln Ordinances 9.36.110 thru 9.36.150

Handgunlaw.us strongly suggests before traveling thru or staying in Omaha read the Omaha Ordinances Article VII. - Division 1. - Sec. 20-191. Through Sec. 20-259

37-522. Shotgun on Highway; Restrictions; Violation; Penalty.

It shall be unlawful to have or carry, except as permitted by law, any shotgun having shells in either the chamber, receiver, or magazine in or on any vehicle on any highway. Any person violating this section shall be guilty of a Class III misdemeanor and shall be fined at least fifty dollars.

Nebraska Preemption does give NE Cities the right to regulate the carrying of concealed weapons without a valid permit/license.

17-556 Public Safety; Firearms; Explosives; Riots; Regulation.

Second-class cities and villages shall have power to prevent and restrain riots, routs, noises, disturbances or disorderly assemblages; to regulate, prevent, restrain or remove nuisances in residential parts of municipalities and to designate what shall be considered a nuisance; to regulate, punish, and prevent the discharge of firearms, rockets, powder, fireworks or any other dangerous combustible material in the streets, lots, grounds, alleys or about or in the vicinity of any buildings; to regulate, prevent and **punish the carrying of concealed weapons; except the carrying of a concealed handgun in compliance with the Concealed Handgun Permit Act,** and to arrest, regulate, punish, fine or set at work on the streets, or elsewhere, all vagrants and persons found without means of support or some legitimate business.

Carrying Concealed weapons is an offence and the law reads:

28-1202. Carrying Concealed Weapon; Penalty; Affirmative Defense.

(1)(a) Except as otherwise provided in this section, any person who carries a weapon or weapons concealed on or about his or her person, such as a handgun, a knife, brass or iron knuckles, or any other deadly weapon, commits the offense of carrying a concealed weapon.

(b) It is an affirmative defense that the defendant was engaged in any lawful business, calling, or employment at the time he or she was carrying any weapon or weapons and the circumstances in which such person was placed at the time were such as to justify a prudent person in carrying the weapon or weapons for the defense of his or her person, property, or family.

(2) This section does not apply to a person who is the holder of a valid permit issued under the Concealed Handgun Permit Act if the concealed weapon the defendant is carrying is a handgun.

(3) Carrying a concealed weapon is a Class I misdemeanor.

(4) In the case of a second or subsequent conviction under this section, carrying a concealed weapon is a Class IV felony.

There is one law that mentions a firearm found inside a vehicle.

28-1212. Presence of Firearm in Motor Vehicle; Prima Facie Evidence.

The presence in a motor vehicle other than a public vehicle of any firearm or instrument referred to in section 28-1203, 28-1206, 28-1207, or 28-1212.03 shall be prima facie evidence that it is in the possession of and is carried by all persons occupying such motor vehicle at the time such firearm or instrument is found, except that this section shall not be applicable if such firearm or instrument is found upon the person of one of the occupants therein.

The thing is Sections 1203, 1206, 1207 & 1212.03 define firearms that are Machine Guns, Stolen, Defaced or in possession of a felon. So if the occupants of the vehicle can legally possess a firearm and the firearm is legal it doesn't fall under this law.

Under NE Concealed Permit Act they have the following Definitions and Other Laws still apply law.

69-2429. Terms, Defined. For purposes of the Concealed Handgun Permit Act:

(1) Concealed handgun means the handgun is totally hidden from view. If any part of the handgun is capable of being seen, it is not a concealed handgun;

(3) Handgun means any firearm with a barrel less than sixteen inches in length or any firearm designed to be held and fired by the use of a single hand;

69-2445. Carrying Concealed Weapon Under Other Law; Act; How Construed.

Nothing in the Concealed Handgun Permit Act prevents a person from carrying a concealed weapon as permitted under section 28-1202.

Note: If you look back you will see that 28-1202 is an affirmative defense for carrying a concealed firearm. Go back and read 28-1202 (b) The state only has laws concerning concealed firearms in vehicles.

Open Carry (Without a Valid Permit/License)

Open Carry is legal but state preemption allows local governments to regulate the open carrying of firearms. Nebraska preemption only covers the carrying of "Concealed firearms." (**17-556)** Places as listed in the "Places Off Limits" above apply to those who open carry. See the "RV/Car Carry Without a Permit" section for carrying in a vehicle.

The state preempts firearm laws (**17-556)** state that local authorities can't have Laws/Ordinances against concealed carry and other areas concerning firearms but can pass laws/ordinances coving the carrying of firearms openly. It would be up to the person who wishes to open carry to know the local laws/ordinances that would impact them. Remember that if you enter any property and the owner/responsible person ask you to leave you must leave. Failure to leave can result in Trespass Charges. Minimum age for Open Carry is 18.

In some states Open Carry is forbidden in places where those with a valid permit/license can carry. This is not the last word on Open Carry in this state. Check at **www.opencarry.org** or go to Google and type in State Name Open Carry or Open Carry State Name for a search for open carry info in this state. Check with the **State's RKBA** Organization/s. Also see "Attorney General Opinions/Court Cases" Section for any written opinions/Cases on Open Carry.

State Preemption

17-556 Public Safety; Firearms; Explosives; Riots; Regulation.

Second-class cities and villages shall have power to prevent and restrain riots, routs, noises, disturbances or disorderly assemblages; to regulate, prevent, restrain or remove nuisances in residential parts of municipalities and to designate what shall be considered a nuisance; to regulate, punish, and prevent the discharge of firearms, rockets, powder, fireworks or any other dangerous combustible material in the streets, lots, grounds, alleys or about or in the vicinity of any buildings; to regulate, prevent and punish the carrying of concealed weapons; except the carrying of a concealed handgun in compliance with the Concealed Handgun Permit Act, and to arrest, regulate, punish, fine or set at work on the streets, or elsewhere, all vagrants and persons found without means of support or some legitimate business.

Deadly Force Laws

Nebraska Code

28-1406 Terms, defined.
28-1407 Justification; choice of evils.
28-1408 Public duty; execution.
28-1409 Use of force in self-protection.
28-1410 Use of force for protection of other persons.
28-1411 Use of force for protection of property.
28-1412 Use of force in law enforcement.
28-1413 Use of force by person with special responsibility for care, discipline, or safety of others.
28-1414 Mistake of law; reckless or negligent use of force.
28-1415 Justification in property crimes.
28-1416 Justification an affirmative defense; civil remedies unaffected.

Knife Laws State/Cities

To access State/Local Knife Laws Click "Here"

Carry in Restaurants That Serve Alcohol

YES **69-2441.**

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

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

LEOSA State Information

No Information Available. Check out the LEOSA Information on the **USA Page** at Handgunlaw.us

Attorney General Opinions/Court Cases

- **Nebraska AG – Preemption of City Bans on Firearms**
- **Nebraska AG – Omaha Can Not Force Registration On Permit/License Holders**
- **NE Supreme Ct. – Knife With Larger than 3.5 Inch Blade is Dangerous Weapon**

Airport Carry/Misc. Information

Airport Carry: **No laws found**

Training Valid for: **3 Years**

Time Period to Establish Residency: **180 Days (If you have a Permit/License from the state you are moving from that is honored by NE the Residency Requirement is waved.**

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

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

State Reciprocity/How They Honor Other States Statute: **69-2448.**

State Fire arm Laws: **28-1201 - 1212 & 69-2427-2445**

State Deadly Force Laws: **28-1406 - 28-1416**

State Knife Laws: **28-1201(4)**

Chemical/Electric Weapons Laws: **No laws found**

Body Armor Laws: **No laws found**

Does Your Permit Cover Other Weapons Besides Firearms? **NO** **Admin Rule 272.001.01**

Is carrying of a Concealed Firearm with Permit/License for Defensive Purposes Only While Hunting Legal? **YES** Except when Bow Hunting. NE Big Game Guide

Notes

What Does NE Consider A Loaded Firearm?

Nebraska law does not define loaded or unloaded firearm.

Note: With no definition on what the state considers a loaded firearm at the minimum I would have no cartridge in the firing chamber, cylinder, internal or attached magazine or attached to the firearm in any way.

State Emergency Powers

81-829.40. Governor; Powers and Duties. (Edited for Space Considerations)

(1) The Governor shall be responsible for meeting the dangers to the state and people presented by disasters, emergencies, and civil defense emergencies, and in the event of disaster, emergency, or civil defense emergency beyond local control, he or she may assume direct operational control over all or any part of the emergency management functions within this state. He or she shall have general direction and control of emergency management and the Nebraska Emergency Management Agency and shall be responsible for carrying out the provisions of the Emergency Management Act.

(2) In order to effect the policy and purposes of the act, the Governor may issue proclamations and make, amend, and rescind the necessary orders, rules, and regulations to carry out the act.

(5) During the continuance of any state of emergency the Governor shall be commander in chief of the organized and unorganized militia and of all other forces available for emergency management duty. To the greatest extent practicable, the Governor shall delegate or assign command authority by prior arrangement embodied in appropriate proclamations, orders, rules, and regulations, but nothing shall restrict his or her authority to do so by orders issued at the time of the disaster, emergency, or civil defense emergency.

(6) In addition to any other powers conferred upon the Governor by law, he or she may:

(a) Suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders, rules, or regulations of any state agency if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the disaster, emergency, or civil defense emergency;

(d) Subject to any applicable requirements for compensation under section 81-829.57, commandeer or utilize any private property if he or she finds this necessary to cope with the disaster, emergency, or civil defense emergency;

(e) Direct and compel the evacuation of all or part of the population from any stricken or threatened area within the state if he or she deems this action necessary for the preservation of life or other emergency management;

(f) Prescribe routes, modes of transportation, and destinations in connection with evacuation;

(g) Control ingress and egress to and from a disaster area, the movement of persons within the area, and the occupancy of premises in the area;

(h) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages, explosives, and combustibles; and **Note:** On July 17, 2014 LB390 strikes firearms from the States Emergency Powers.

(i) Make provisions for the availability and use of temporary emergency housing.

(7) In the event of a civil defense emergency the Governor shall assume direct operational control over all or any part of the emergency management functions within this state.

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.

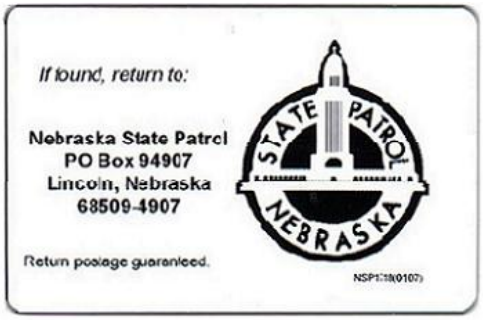
Nebraska 18 Y/O 28-1204

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.

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



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

Updates to this Page

2/5/14 - Now to Apply/Renew & St. Certified Instructors Links Added to Links Section. All Links Checked.
3/10/14 – Renewal Info with Q/A from NE State Patrol Added to "How to Apply Section ."
4/24/14 – State Emergency Powers Section Updated. Link to Prohibited Sign added to Gun Sign Section. All Links Checked.
6/12/14 – Nebraska Now Honors Illinois.
7/9/14 – West Virginia Now Honors Nebraska.
8/12/14 – Reciprocity Link Updated in Links Section.
9/2/14 –All Links Checked.
10/4/14 – Reciprocity Link in Links Section Updated.
11/28/14 – All Links Checked.
12/10/14 – How this state Honors Other States Added to "States This State Honors Section.
3/1/15 – All Links Checked.
7/1/15 – All Links Checked.
10/15/15 – Maine Now Honors Nebraska.
11/1/15 – Note Added Under Map on Permitless Carry States.
11/8/15 – All Links Checked.
1/13/16 – All Statute Wording on Page Checked and Verified Against Latest Published Statutes.
2/1/16 – Lincoln and Omaha Ordinances Links added to Places Off Limits.
2/17/16 – Nebraska Now Honors the South Dakota Enhanced Permit. Non –Resident Section Updated with Spouse of Service stationed in Nebraska eligible for Nebraska permit to carry.
3/20/16 – All Links Checked.
4/1/16 – State Patrol Links Repaired. They Moved Documents. Prohibited Sign Link Not Working Yet.
4/17/16 – Note Under Map Updated With Mississippi Now Permitless Carry.
5/18/16 – NE Sup. Ct. Ruling on Knife over 3.5 Inches is Deadly Weapon Added to AG/Ct Case Section.
5/24/16 - West Virginia Added to listing as a Permitless Carry State under Map at top of Page.