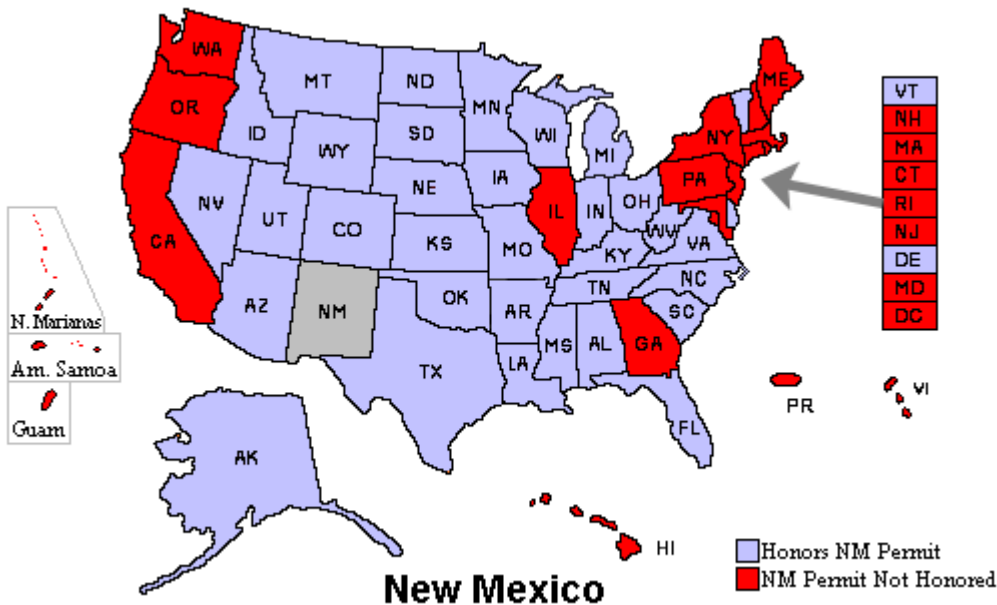


# New Mexico

**Shall Issue**

**Must Inform Officer by Law: NO**  
(See Must Inform Section Below)



## Links

[State CCW Site](#)

[CCW Application](#)

[Application Instructions](#)

[State FAQ Site](#)

[State Statutes](#)

[State Admin Rules](#)

[State Reciprocity Info](#)

[State Attorney General](#)

[CCW Admin Rules](#)

**Last Updated: 2/24/17**

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

## Permits/Licenses This State Honors Listed Below

|              |                          |               |                |                |
|--------------|--------------------------|---------------|----------------|----------------|
| Arizona      | Alaska                   | Arkansas      | Colorado       | Delaware       |
| Florida      | <b>Idaho<sup>1</sup></b> | Kansas        | Louisiana      | Michigan       |
| Mississippi  | Missouri                 | Nebraska      | Nevada         | North Carolina |
| North Dakota | Ohio                     | Oklahoma      | South Carolina | Tennessee      |
| Texas        | Virginia                 | West Virginia | Wyoming        |                |

Idaho<sup>1</sup> – New Mexico will only honor Enhanced Idaho Permits.

**New Mexico Honors Non-Resident Permits/Licenses From the States They Honor. (You must be 21)**

## Reciprocity/How This State Honors Other States Permit/Licenses

### 29-19-12. Rules; Department to Administer; Reciprocal Agreements With Other States.

E. provision of discretionary state authority for the transfer, recognition or reciprocity of a concealed handgun license issued by another state if the issuing authority for the other state:

- (1) includes provisions at least as stringent as or substantially similar to the Concealed Handgun Carry Act;
- (2) issues a license or permit with an expiration date printed on the license or permit;
- (3) is available to verify the license or permit status for law enforcement purposes within three business days of a request for verification;
- (4) has disqualification, suspension and revocation requirements for a concealed handgun license or permit; and
- (5) requires that an applicant for a concealed handgun license or permit:

- (a) submit to a national criminal history record check;
- (b) not be prohibited from possessing firearms pursuant to federal or state law; and
- (c) satisfactorily complete a firearms safety program that covers deadly force issues, weapons care and maintenance, safe handling and storage of firearms and marksmanship.

**History:** Laws 2003, ch. 255, § 12; 2005, ch. 242, § 6.

## How to Apply for a Permit

**Notice:** “3M Cogent” is the name of the company that will do electronic fingerprinting. You can see their information [Here](#). You must pay for the Fingerprint Check service which is \$44.00. You will then send \$56.00 to the NM DPS along with all your other documentation. This new service will not raise the costs of applying. Fingerprint Cards are still acceptable when applying

Applications may be requested from State Police District Offices or may be downloaded. Go to your local Police or Sheriff to get fingerprinted and then send the Application and supporting documents to:

NM Department of Public Safety  
 SID/Concealed Carry Unit  
 6301 Indian School Rd. NE Suite 310  
 Albuquerque, NM 87110

| New Applications  | Renewal Applications   |
|---|--|
| <p>Include the following for <b>New</b> applications:</p> <ol style="list-style-type: none"> <li>1. <a href="#">Complete 2-Page Application</a></li> <li>2. \$56 for the Application Fee paid to NMDPS</li> <li>3. \$44 for Background Check paid to Cogent (total cost = \$100)</li> <li>4. Photocopy of New Mexico Driver’s License or Identification Card</li> <li>5. Photocopy of birth certificate: Must be issued by a vital statistics or similar agency in the state in which you were born, no photo copies. Refer to 29-19-5 B(6)</li> <li>6. Certificate of Completion of Firearms Training (<a href="#">New Mexico Certified Instructors</a>)</li> <li>7. Two (2) Authorization Release Forms<br/><a href="#">Health Information Release Form</a><br/><a href="#">Authorization for Release of Information</a></li> <li>8. Electronic Fingerprint Background Check receipt</li> </ol> | <p>Include the following for <b>Renewal</b> applications:</p> <ol style="list-style-type: none"> <li>1. Complete 2-Page Application</li> <li>2. \$31 for the Application Fee paid to NMDPS</li> <li>3. \$44 for Background Check paid to Cogent (total cost = \$75)</li> <li>4. Photocopy of New Mexico Driver’s License or Identification Card</li> <li>5. Certificate of Completion of Firearms Training</li> <li>6. Electronic Fingerprint Background Check receipt.</li> <li>7. If you are applying under Law Enforcement status all documents (as a new application) required under 10.8.2.30/31 NMAC.</li> </ol> |

Incomplete applications will not be processed. Your fee will be deposited and you must meet the guidelines set forth in NMAC 10.8.2.11 C. Fees are non-refundable (29-19-5 B (2) NMSA 1978).

For a complete outline of eligibility requirements, refer to the New Mexico Concealed Handgun Carry Act of 2003 as amended in 2005 29-19-1 thru 14 NMSA 1978 and NMAC 10.8.2. Personal check, cashier's check or money order should be made payable to: New Mexico Department of Public Safety. Cash will NOT be accepted. If you are applying for both a NM Concealed Handgun License and Training Instructor approval, submit one application indicate it is for both purposes by checking the appropriate box(es) at the top of the application. There is NO FEE if you are applying for training instructor approval only; however, an electronic background check is also required. Electronic fingerprint background checks can be taken at any [3M Cogent](#) service center. You can find more information at the NM DPS [Here](#).

**Note:** Military/Mounted Patrol/Law Enforcement Concealed Carry Applicants can find more information from the New Mexico DPS [Here](#).

#### **10.8.2.16 Terms and Conditions of License:**

**A.** Carrying only handguns listed on license. No person shall carry a concealed handgun of a different category or higher caliber than is indicated on the license issued to that person by the department. A licensee shall only carry one (1) concealed handgun at any given time.

**B.** Consumption of alcohol prohibited. No person shall consume alcohol while carrying a concealed handgun.

**C.** Carrying while impaired. Pursuant to NMSA 1978 Section 30-7-4, no person shall carry a concealed handgun while impaired by the use of alcohol, controlled substances, or over-the-counter or prescribed medications.

**10.8.2.18 Additional Handgun Endorsement:** If a licensee wishes to add another category or additional higher calibers of handguns to his license, the licensee shall file with the department an application for a renewed license. The licensee shall also submit a certified copy of a certificate of completion from an approved instructor stating that the licensee has demonstrated competency on a firing range for each additional category and caliber of handgun, his current license, and a \$5.00 processing fee. The licensee need not retake the classroom portion of the firearms training course. The department shall issue a renewed license within 10 days of receipt of the application. The renewed license shall expire on the same date as the original license would have expired. In accordance with NMSA 1978 Section 29-19-9, a licensee shall not carry a concealed handgun until he receives the renewed license. [10.8.2.18 NMAC - N, 11-26-03; A, 11-30-05]

### **Non-Resident Permits**

New Mexico does not issue Non-Resident Permit/Licenses. New Mexico will issue to Military and their Dependents Stationed in New Mexico. Check [Here](#) for more information.

If you move into New Mexico you may be able to transfer your previous state of residence permit/license.

#### **10.8.2.17 License Renewal and Transfer:**

**B. To transfer a license from another state.** A person seeking to transfer a license from another state may file an application for a New Mexico renewed license on the form prescribed by the department. An applicant for transfer shall not carry a concealed handgun in New Mexico until the applicant receives a New Mexico license unless they have a license from a state that has been accepted by transfer, recognition or reciprocity by New Mexico.

(1) In addition to the filings required by Paragraph 3 of Subsection A of this section, the applicant for transfer shall file:

- (a) proof of citizenship as provided in Subsection A of 10.8.2.12 NMAC;
- (b) proof of residency as provided in Subsection B of 10.8.2.12 NMAC;
- (c) proof of age as provided in Subsection C of 10.8.2.12 NMAC; and
- (d) a photocopy of the license being transferred.

(2) The applicant for transfer shall complete:

- (a) a refresher firearms training course if the firearms training required by the other state meets or exceeds New Mexico firearms training requirements and the licensee completed firearms training not more than 1 year prior to filing the application; or
- (b) an initial firearms training course if the firearms training required by the other state does not meet New Mexico firearms training requirements or the licensee completed firearms training more than 1 year prior to filing the application.

(3) The applicant for transfer must meet all other requirements for obtaining a license in New Mexico by showing either that:

- (a) the requirements for licensure in the other state meet or exceed the requirements for issuance of a license in New Mexico; or
- (b) the applicant has satisfactorily completed the requirements for issuance of a license in New Mexico that were not applicable in the other state.

**C. Time period for review.** As prescribed in Subsection A of NMSA 1978 Section 29-19-6, the department shall review the application for a renewed license, conduct a national criminal background check of each applicant for a renewed license or transfer of a license from another state, and make a determination within 30 days of the date the department receives a complete application and background check.

**D. Determination by department.**

(1) **Approval.** If the department finds that the applicant for a renewed license or transfer of a license from another state meets the requirements in the act and this rule for a renewed license, the department shall issue a license.

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

In New Mexico, licensees can only carry one *concealed* handgun at any time. It is legal to carry more than one firearm. However, only one firearm may be concealed on your person at a time. This restriction does not apply to firearms carried in your vehicles, on or off your person. See NM Admin Code [10.8.2.16](#) for complete wording of places off limits.

You may **NOT** carry a handgun, openly or concealed, in:

- Schools...except in vehicle if older than 19 (30-7-2.1 NMSA 1978, fourth degree felony)
- University Premises...except in vehicle if older than 19 (30-7-2.4 NMSA 1978 petty misdemeanor)
- Preschools (29-19-8 NMSA 1978)
- Courts (29-19-11 NMSA 1978, without the consent of the presiding judge) Court means: any Federal, State, County, Municipal, or Tribal Court;
- Tribal Land (29-19-10, NMSA, unless authorized by the governing body of the tribe or pueblo)
- Public buses (30-7-13 NMSA 1978, misdemeanor)
- Airport security zones
- Federal Properties...Military Bases, Courthouse, etc.
- National Parks and National Wildlife Management Areas are **OK** if you have a NM Permit/License to Carry or a Permit/License valid in New Mexico.

- On private property where the owner has posted signs indicating that you may not carry or if the owner tells you that you cannot

### **30-7-3. Unlawful Carrying Of a Firearm in Licensed Liquor Establishments.** (Restaurant Carry Legal)

**A.** Unlawful carrying of a firearm in an establishment licensed to dispense alcoholic beverages consists of carrying a loaded or unloaded firearm on any premises licensed by the regulation and licensing department for the dispensing of alcoholic beverages except:

- (1) by a law enforcement officer in the lawful discharge of the officer's duties;
- (2) by a law enforcement officer who is certified pursuant to the Law Enforcement Training Act acting in accordance with the policies of the officer's law enforcement agency;
- (3) by the owner, lessee, tenant or operator of the licensed premises or the owner's, lessee's, tenant's or operator's agents, including privately employed security personnel during the performance of their duties;
- (4) by a person carrying a concealed handgun who is in possession of a valid concealed handgun license for that gun pursuant to the Concealed Handgun Carry Act on the premises of:
  - (a) a licensed establishment that does not sell alcoholic beverages for consumption on the premises; or
  - (b) a restaurant licensed to sell only beer and wine that derives no less than sixty percent of its annual gross receipts from the sale of food for consumption on the premises, unless the restaurant has a sign posted, in a conspicuous location at each public entrance, prohibiting the carrying of firearms, or the person is verbally instructed by the owner or manager that the carrying of a firearm is not permitted in the restaurant;
- (5) by a person in that area of the licensed premises usually and primarily rented on a daily or short-term basis for sleeping or residential occupancy, including hotel or motel rooms;
- (6) by a person on that area of a licensed premises primarily used for vehicular traffic or parking; or
- (7) for the purpose of temporary display, provided that the firearm is:
  - (a) made completely inoperative before it is carried onto the licensed premises and remains inoperative while it is on the licensed premises; and
  - (b) under the control of the licensee or an agent of the licensee while the firearm is on the licensed premises.

**B.** Whoever commits unlawful carrying of a firearm in an establishment licensed to dispense alcoholic beverages is guilty of a fourth degree felony. History: 1953 Comp., § 40A-7-2.1, enacted by Laws 1975, ch. 149, § 1; 1977, ch. 160, § 1; 1999, ch. 156, § 1; 2007, ch. 158, § 1; 2010, ch. 106, § 1.

New Mexico Alcohol & Gaming Division [No Gun Signage with Exception.](#)

**29-19-10. Validity of License on Tribal Land.** A concealed handgun license shall not be valid on tribal land, unless authorized by the governing body of an Indian nation, tribe or pueblo. **History:** Laws 2003, ch. 255, § 10.

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

## **Do “No Gun Signs” Have the Force of Law?**

**“YES”**

**10.8.2.16**

**F. Carrying prohibited on private property.** In addition to other limitations stated in the act, a licensee may not carry a concealed handgun on or about his person on private property that has signs posted

prohibiting the carrying of concealed weapons or when verbally told so by a person lawfully in possession of the property.

### **10.8.2.27 Prohibiting the Carrying Of Concealed Handguns on Private Property:**

Pursuant to Subsection C of NMSA 1978 Section 29-19-12, any person lawfully in possession of private property may prohibit the carrying of concealed handguns on such private property by posting notice in accordance with NMSA 1978 Section 30-14-6 or by verbally notifying persons entering upon the property.

### **30-7-3 Unlawful Carrying of a Firearm in Licensed Liquor Establishments**

(A)(4)(b) a restaurant licensed to sell only beer and wine that derives no less than sixty percent of its annual gross receipts from the sale of food for consumption on the premises, unless the restaurant has a sign posted, in a conspicuous location at each public entrance, prohibiting the carrying of firearms, or the person is verbally instructed by the owner or manager that the carrying of a firearm is not permitted in the restaurant;

**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](#).

## **Must Inform Officer Immediately on Contact By Law?**

**“NO”**

### **29-19-9. Possession of license.**

A licensee shall have his concealed handgun license in his possession at all times while carrying a concealed handgun. History: Laws 2003, ch 255, § 9.

**10.8.2.16 D. Display of license on demand.** A licensee carrying a concealed handgun on or about his person in public shall, upon demand by a peace officer, display his license to carry a concealed handgun.

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

### **Carry Allowed in these Areas:**

**State Parks: YES** (Starting 1/1/13) Admin Code 19.5.2.21

**State/National Forests: YES**

**State WMA's: NO** 17-2-12.

**Road Side Rest Areas: YES**

## **RV/Car Carry (Without a Valid Permit/License)**

New Mexico Statute [30-7-2.2](#) (C) (1) states you must be at least 19 years of age to possess a handgun.

### **From the Department of Public Safety FAQ.**

**Question:** Do I have to be licensed to have a concealed loaded handgun inside my vehicle?



**Answer:** No. New Mexico law allows a person who is not otherwise prohibited to have a concealed loaded firearm in his/her vehicle (including motorcycles and bicycles). See [30-7-2 NMSA 1978](#). If you are not licensed to carry concealed in this State or in a state that NM recognizes, you may not have the weapon concealed on your person when you exit your vehicle or motorcycle.

### **30-7-1. "Carrying a Deadly Weapon".**

"Carrying a deadly weapon" means being armed with a deadly weapon by having it on the person, or in close proximity thereto, so that the weapon is readily accessible for use.

### **30-7-2. Unlawful Carrying of A Deadly Weapon.**

**A.** Unlawful carrying of a deadly weapon consists of carrying a concealed loaded firearm or any other type of deadly weapon anywhere, except in the following cases:

- (1) in the person's residence or on real property belonging to him as owner, lessee, tenant or licensee;
- (2) in a private automobile or other private means of conveyance, for lawful protection of the person's or another's person or property;

**B.** Nothing in this section shall be construed to prevent the carrying of any unloaded firearm.

### **29-19-10. Validity of License On Tribal Land.**

A concealed handgun license shall not be valid on tribal land, unless authorized by the governing body of an Indian nation, tribe or pueblo.

## **Open Carry (Without a Valid Permit/License)**

Open Carry is legal and common in New Mexico. 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.

**30-7-3** of the New Mexico Code states only a person with a valid Concealed Firearms License can carry into any establishment that dispenses alcohol. So Open Carry would be prohibited into any place that sells any alcohol for consumption off the premises without a valid license. This would be any store that sells alcohol like Wal-Mart etc.

The state preempts all firearm laws in the state and local authorities can't have Laws/Ordinances against open carry. 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. The Minimum age for Open Carry is 19.

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](http://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**

New Mexico Supreme Court Ruling  
Opinion Number: 2002-NMSC-017  
Filing Date: June 4, 2002  
Docket No. 27,149

(13) We determine that the Legislature's delegation of authority to local governments to prohibit the carrying of concealed weapons in Section 29-18-11(D) violates the constitutional proscription against municipal and county regulation of an incident of the right to keep and bear arms in Article II, Section 6 of the New Mexico Constitution.

## Deadly Force Laws

### Chapter 30 Homicide

- 30-2-5** Excusable homicide.
- 30-2-6** Justifiable homicide by public officer or public employee.
- 30-2-7** Justifiable homicide by citizen.
- 30-2-8** When homicide is excusable or justifiable defendant to be acquitted.

## Knife Laws State/Cities

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

## Carry in Restaurants That Serve Alcohol

**Yes** But only into:

### 30-7-3 (A) (4) (b)

A restaurant licensed to sell only beer and wine that derives no less than sixty percent of its annual gross receipts from the sale of food for consumption on the premises, unless the restaurant has a sign posted, in a conspicuous location at each public entrance, prohibiting the carrying of firearms, or the person is verbally instructed by the owner or manager that the carrying of a firearm is not permitted in the restaurant;

**Note:** So carry is not permitted in any restaurant that serves “Hard Liquor.” New Mexico Alcohol & Gaming Division [No Gun Signage with Exception](#).

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

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

## LEOSA State Information

No St. Information Available. See LEOSA Section on [USA Page](#) at Handgunlaw.us for more Information.

## Attorney General Opinions/Court Cases

[New Mexico Supreme Ct Ruling That Officers Can Take Possession of Firearm During Stop.](#)

## Airport Carry/Misc. Information

**Airport Carry:** Parking Lot and Terminal OK

**Training Valid for:** 90 Days

www.handgunlaw.us



**Time Period to Establish Residency:** Upon obtaining a state Drivers License/ID + 1 more type of ID.

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

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

**State Reciprocity/How They Honor Other States Statute:** 29-19-12.

**State Fire arm Laws:** 29-19-1 thru 14 & 30-7-1 thru 16

**State Deadly Force Laws:** 30-2-5 thru 30-2-8

**State Knife Laws:** 30-1-12. & 30-7-2. & 30-7-8

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

**Body Armor Laws:** No laws found.

**Does Your Permit Cover Other Weapons Besides Firearms?** NO 29-19-2

**Is carrying of a Concealed Firearm with Permit/License for Defensive Purposes Only While Hunting Legal?** YES? I can find no reference in New Mexico Game & Fish Regulations that states you can't carry a self defense firearm.

## Notes

### What Does NM Consider A Loaded Firearm?

New Mexico law does not define Loaded. Their firearm laws use the word Loaded or Unloaded but doesn't give a definition.

**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

#### 12-10-18. Emergency Restrictions.

A. During the existence of a state of emergency, the governor may, by proclamation, prohibit:

- (1) any person being on the public streets, in the public parks or at any other public place during the hours proclaimed by the governor to be a period of curfew;
- (2) any designated number of persons from assembling or gathering on the public streets, public parks or other open areas, either public or private, or in any public building;
- (3) the manufacture, transfer, use, possession or transportation of any device or object designed to explode or produce uncontained combustion;
- (4) the transportation, possession or use of combustible, flammable or explosive materials in a glass or uncapped container of any kind except in connection with the normal operation of motor vehicles, normal home use or legitimate commercial use;
- (5) the possession of firearms or any other deadly weapon by a person in any place other than his place of

residence or business, except for peace officers;

- (6) the sale, purchase or dispensing of alcoholic beverages or other commodities or goods designated by the governor;
- (7) the use of certain streets or highways by the public; and
- (8) other activities the governor reasonably believes should be prohibited to help maintain life, property or the public peace.

**B.** Any proclamation issued under this section becomes effective immediately upon its signing by the governor, but the governor shall give public notice of its contents through the public press and other news media. The restrictions may be imposed during times, upon conditions, with exceptions and in areas of the state designated by proclamation of the governor from time to time.

**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.

**New Mexico 19 Y/O 30-7-2.2.**

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



These images taken from New Mexico DPS website.



New version with Non Semi Auto taking the place of Revolver.

## Updates to this Page

### [Archive of Previous Updates](#)

**7/1/16** – Nevada Now Honors New Mexico.

**8/1/16** – All Links Checked.

**12/10/16** – How to Apply and Places Off Limits Updated. Admin Rules Updated by DPS. Links Updated as Needed.

**1/1/17** – Missouri Added as Permitless Carry State to List of States Under Map at Top of Page.

**2/8/17** – All Links Checked and Repaired if Needed.

**2/24/17** – New Hampshire Added as Permitless Carry State to List of States Under Map at Top of Page.