

# Oregon

Shall Issue

Must Inform Officer: **NO**

## Links

[Sheriff CCW Site](#)

[State CCW Info Site](#)

[State CCW Info](#)

[CCW Application](#)

[CCW Instructions](#)

[State FAQ Site](#)

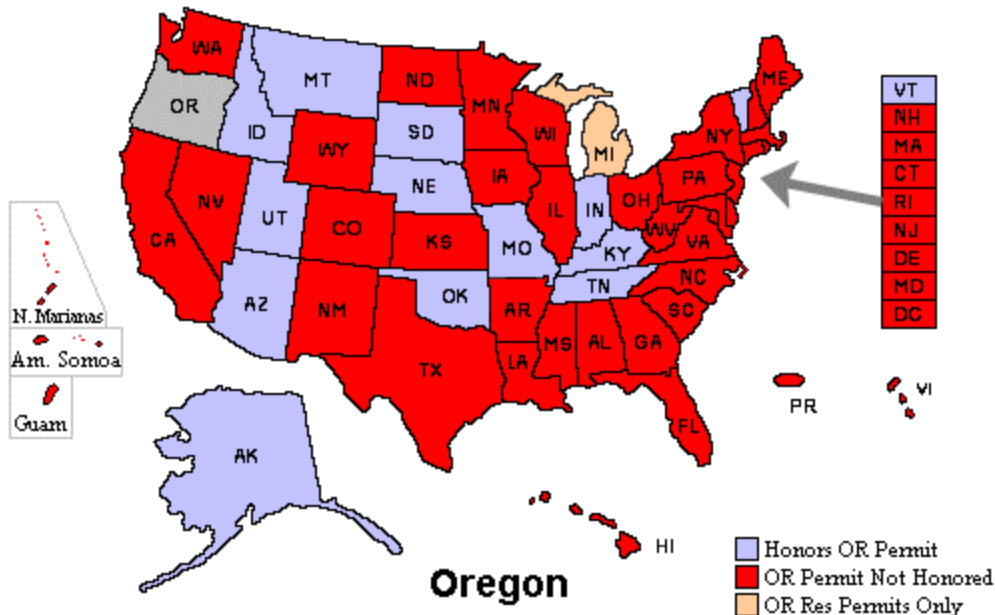
[State Statutes](#)

[State Admin Rules](#)

[State Attorney General](#)

[Secretary Of State](#)

Last Updated: 8/31/09



## Permits/Licenses This State Honors

Oregon does not honor any other state Permit/Licenses.

## How to Apply for A Permit

Sheriffs issue the Oregon Permits/Licenses to Carry. Marion County's application procedure is just like or very similar to most Oregon Sheriff's procedure.

### To Obtain A Concealed Handgun License From The Marion County Sheriff's Office, You Must:

- Be able to demonstrate competence with a handgun by showing a **certificate** or **written statement** that you have been trained by:
  - A handgun safety course utilizing either police instructors or those certified by the NRA, including courses provided for security guards, reserve police officers, law enforcement officers, military service and organized shooting competition; or
  - A hunter education safety course approved by the State Department of Fish and Wildlife; or
  - You hold a previous Oregon license to carry a concealed handgun.
- Be a citizen of the United States of America. If you were not born a citizen of the United States, you must provide proof of citizenship, i.e., a U.S. Passport, Certification of Naturalization, or, if you were born on a military base, a Birth Certificate. If you are a legal resident alien, you must document continuous residency in Marion County for at least six months and declare in writing to the Immigration and Naturalization Service your intention to become a citizen and provide such proof of the written declaration to the Sheriff at the time of application for a concealed handgun license;
- Have your principal residence in Marion County;
- Have your current address on your driver's license;
- Be at least 21 years of age;

- Have been discharged from the jurisdiction of a juvenile court for more than four years if you were under their jurisdiction for committing an act which, if committed by an adult, would have constituted a felony or a misdemeanor.

**You must bring your fees to the appointment:**

\$50.00 (check, cash or money order) to the Marion County Sheriff's Office AND  
\$15.00 (check or money order ONLY) to the Oregon State Police  
Total Cost: \$65

**For New Applicants.**

1. Legibly completed and signed fingerprint card.
2. Completed application (both pages).
3. Two pieces of identification with your signature (one must have a picture and signature, i.e., a driver's license).
4. Proof of HANDGUN training.
5. Correct fees (if cash, bring exact amount as we do not always have change. State Police will NOT accept cash.)
6. Stamped, self-addressed envelope in which to mail your License. Your License will be mailed after we receive notice from the Oregon State Police that they have processed your fingerprint card.

**For Renewals.**

1. Your Oregon Driver's License, showing your current Marion County address.
2. Your current/expired Concealed Handgun License.
3. \$50 in the form of cash, check or money order to renew your license for four years, or \$15 for an address or name change.
4. We will update your information and perform a background check. If you qualify for renewal, we usually will print and issue you a new Concealed Handgun License at the end of the appointment.

**Note:** Check with your Sheriff. They may require Appointments.

## Non-Resident Permits

Oregon will issue permits to people who are residents of states that border Oregon. Those states are Washington, California, Idaho and Nevada. A non resident from the states listed can go to any sheriff in Oregon and apply. Check out the Application to see what is need and the interactive map from the Oregon Firearms Federation is very useful to find sheriffs and their procedures on applying for a permit to carry.

### **166.291**

- (9) For purposes of subsection (1)(c) of this section, a person is a resident of a county if the person:
- (c) Has documentation showing that the person currently leases or owns real property in the county

So if you own or lease property in Oregon you can apply for a permit to carry in that state if you meet all the requirements as set forth in the law. Oregon is a Shall Issue State.

[Douglas Co. Sheriff Application](#)

[Clackamas Co. Sheriff Application](#)

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The Oregon Firearms Federation has an interactive Map to all the Oregon County Sheriffs. By clicking on the county you can see the process for that county.

## [Interactive Map](#)

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

#### **166.370 Possession of firearm or dangerous weapon in public building or court facility; exceptions; discharging firearm at school.**

(1) Any person who intentionally possesses a loaded or unloaded firearm or any other instrument used as a dangerous weapon, while in or on a public building, shall upon conviction be guilty of a Class C felony.

(2)(a) Except as otherwise provided in paragraph (b) of this subsection, a person who intentionally possesses:

(A) A firearm in a court facility is guilty, upon conviction, of a Class C felony. A person who intentionally possesses a firearm in a court facility shall surrender the firearm to a law enforcement officer.

(B) A weapon, other than a firearm, in a court facility may be required to surrender the weapon to a law enforcement officer or to immediately remove it from the court facility. A person who fails to comply with this subparagraph is guilty, upon conviction, of a Class C felony.

(b) The presiding judge of a judicial district may enter an order permitting the possession of specified weapons in a court facility.

(3) Subsection (1) of this section does not apply to:

(a) A sheriff, police officer, other duly appointed peace officers or a corrections officer while acting within the scope of employment.

(d) A person who is licensed under ORS 166.291 and 166.292 to carry a concealed handgun.

(f) Possession of a firearm on school property if the firearm:

(A) Is possessed by a person who is not otherwise prohibited from possessing the firearm; and

(B) Is unloaded and locked in a motor vehicle.

(4) The exceptions listed in subsection (3)(b) to (f) of this section constitute affirmative defenses to a charge of violating subsection (1) of this section.

(5)(a) Any person who knowingly, or with reckless disregard for the safety of another, discharges or attempts to discharge a firearm at a place that the person knows is a school shall upon conviction be guilty of a Class C felony.

(b) Paragraph (a) of this subsection does not apply to the discharge of a firearm:

(A) As part of a program approved by a school in the school by an individual who is participating in the program; or

(B) By a law enforcement officer acting in the officer's official capacity.

(6) Any weapon carried in violation of this section is subject to the forfeiture provisions of ORS 166.279.

(7) Notwithstanding the fact that a person's conduct in a single criminal episode constitutes a violation of both subsections (1) and (5) of this section, the district attorney may charge the person with only one of the offenses.

(8) As used in this section, "dangerous weapon" means a dangerous weapon as that term is defined in ORS 161.015. [1969 c.705 §§2,4; 1977 c.207 §2; 1979 c.398 §2; 1989 c.839 §22; 1989 c.982 §5; 1991 c.67 §39; 1993 c.625 §1; 1999 c.782 §7; 1999 c.1040 §4; 2001 c.666 §§24,36; 2003 c.614 §6]

**ORS 166.360 Definitions for ORS 166.360 to 166.380. As used in ORS 166.360 to 166.380, unless the context requires otherwise:**

(1) "Capitol building" means the Capitol, the State Office Building, the State Library Building, the Labor and Industries Building, the State Transportation Building, the Agriculture Building or the Public Service Building and includes any new buildings which may be constructed on the same grounds as an addition to the group of buildings listed in this subsection.

(2) "Court facility" means a courthouse or that portion of any other building occupied by a circuit court, the Court of Appeals, the Supreme Court or the Oregon Tax Court or occupied by personnel related to the operations of those courts, or in which activities related to the operations of those courts take place.

(3) "Loaded firearm" means:

(a) A breech-loading firearm in which there is an unexpended cartridge or shell in or attached to the firearm including but not limited to, in a chamber, magazine or clip which is attached to the firearm.

(4) "Public building" means a hospital, a capitol building, a public or private school, as defined in ORS 339.315, a college or university, a city hall or the residence of any state official elected by the state at large, and the grounds adjacent to each such building. The term also includes that portion of any other building occupied by an agency of the state or a municipal corporation, as defined in ORS 297.405, other than a court facility.

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

**Carry Allowed in these Areas:**

**State Parks:** YES Admin Rule 736-010-0040

**State/National Forests:** YES Per OR Dept of Forestry

**WMA's:** YES Per OR Dept of Forestry

**Road Side Rest Areas:** YES 166.37

**RV/Car Carry Without A Permit/License**

**166.250** Unlawful possession of firearms. (1) Except as otherwise provided in this section or ORS 166.260, 166.270, 166.274, 166.291, 166.292 or 166.410

to 166.470, a person commits the crime of unlawful possession of a firearm if the person knowingly:

- (a) Carries any firearm concealed upon the person;
  - (b) Possesses a handgun that is concealed and readily accessible to the person within any vehicle; or
  - (c) Possesses a firearm and:
    - (A) Is under 18 years of age;
    - (B)(i) While a minor, was found to be within the jurisdiction of the juvenile court for having committed an act which, if committed by an adult, would constitute a felony or a misdemeanor involving violence, as defined in ORS 166.470; and
      - (ii) Was discharged from the jurisdiction of the juvenile court within four years prior to being charged under this section;
    - (C) Has been convicted of a felony or found guilty, except for insanity under ORS 161.295, of a felony;
    - (D) Was committed to the Department of Human Services under ORS 426.130; or
    - (E) Was found to be mentally ill and subject to an order under ORS 426.130 that the person be prohibited from purchasing or possessing a firearm as a result of that mental illness.
- (2) This section does not prohibit:
- (a) A minor, who is not otherwise prohibited under subsection (1)(c) of this section, from possessing a firearm:
    - (A) Other than a handgun, if the firearm was transferred to the minor by the minor's parent or guardian or by another person with the consent of the minor's parent or guardian; or
    - (B) Temporarily for hunting, target practice or any other lawful purpose; or
    - (b) Any citizen of the United States over the age of 18 years who resides in or is temporarily sojourning within this state, and who is not within the excepted classes prescribed by ORS 166.270 and subsection (1) of this section, from owning, possessing or keeping within the person's place of residence or place of business any handgun, and no permit or license to purchase, own, possess or keep any such firearm at the person's place of residence or place of business is required of any such citizen. **As used in this subsection, "residence" includes a recreational vessel or recreational vehicle while used, for whatever period of time, as residential quarters.**
- (3) Firearms carried openly in belt holsters are not concealed within the meaning of this section.
- (4) Unlawful possession of a firearm is a Class A misdemeanor.  
[Amended by 1979 c.779 §4; 1985 c.543 §3; 1989 c.839 §13; 1993 c.732 §1; 1993 c.735 §12; 1999 c.1040 §1; 2001 c.666 §§33,45; 2003 c.614 §8]

**Note:** Law states as a residence. That could mean parked and not in motion. Once it is in motion they may consider it a vehicle and not a residence. Use Caution.

## State Preemption

**ORS 166.170** State preemption.

- (1) Except as expressly authorized by state statute, the authority to regulate in any matter whatsoever the sale, acquisition, transfer, ownership, possession, storage, transportation or use of firearms or any element relating to firearms and components thereof, including ammunition, is vested solely in the Legislative Assembly.
  - (2) Except as expressly authorized by state statute, no county, city or other municipal corporation or district may enact civil or criminal ordinances, including but not limited to zoning ordinances, to regulate, restrict or
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prohibit the sale, acquisition, transfer, ownership, possession, storage, transportation or use of firearms or any element relating to firearms and components thereof, including ammunition. Ordinances that are contrary to this subsection are void. [1995 s.s. c.1 §1]

**ORS 166.171** Authority of County to Regulate Discharge of Firearms.

- (1) A county may adopt ordinances to regulate, restrict or prohibit the discharge of firearms within their boundaries.
- (2) Ordinances adopted under subsection (1) of this section may not apply to or affect:
  - (a) A person discharging a firearm in the lawful defense of person or property.
  - (b) A person discharging a firearm in the course of lawful hunting.
  - (c) A landowner and guests of the landowner discharging a firearm, when the discharge will not endanger adjacent persons or property.
  - (d) A person discharging a firearm on a public or private shooting range, shooting gallery or other area designed and built for the purpose of target shooting.
  - (e) A person discharging a firearm in the course of target shooting on public land that is not inside an urban growth boundary or the boundary of a city, if the discharge will not endanger persons or property. [1995 s.s. c.1 s.2]

**ORS 166.172** Authority of city to regulate discharge of firearms.

- (1) A city may adopt ordinances to regulate, restrict or prohibit the discharge of firearms within the city's boundaries.
- (2) Ordinances adopted under subsection (1) of this section may not apply to or affect:
  - (a) A person discharging a firearm in the lawful defense of person or property.
  - (b) A person discharging a firearm on a public or private shooting range, shooting gallery or other area designed and built for the purpose of target shooting. [1995 s.s. c.1 s.3]

**ORS 166.173** Authority of city or county to regulate possession of loaded firearms in public places.

- (1) A city or county may adopt ordinances to regulate, restrict or prohibit the possession of loaded firearms in public places as defined in ORS 161.015.
- (2) Ordinances adopted under subsection (1) of this section do not apply to or affect:
  - (a) A law enforcement officer in the performance of official duty.
  - (b) A member of the military in the performance of official duty.
  - (c) A person licensed to carry a concealed handgun.

(d) A person authorized to possess a loaded firearm while in or on a public building or court facility under ORS 166.370. [1995 s.s. c.1 §4; 1999 c.782 §8]

**ORS 166.174** Authority of city, county, municipal corporation or district to regulate possession or sale of firearms.

Notwithstanding any other provision of law, a city, county or other municipal corporation or district may not adopt ordinances that regulate, restrict or prohibit the possession or sale of firearms in a public building that is rented or leased to a person during the term of the lease. [1995 s.s. c.1 §5]

**ORS 166.175** Authority of city to regulate purchase of used firearms.

(1) Notwithstanding any other provision of law, a city may continue to regulate the purchase of used firearms by pawnshops and secondhand stores.

(2) As used in this section, "secondhand store" means a store or business whose primary source of revenue is the sale of used merchandise. [1995 s.s. c.1 §6]

**ORS 166.176** Exception to preemption for certain county ordinances.

(1) Nothing in ORS 166.170 or 166.171 is intended to preempt, invalidate or in any way affect the operation of any provision of a county ordinance that was in effect on November 2, 1995, to the extent that the provision:

(a) Established a procedure for regulating, restricting or prohibiting the discharge of firearms; or

(b) Regulated, restricted or prohibited the discharge of firearms.

(2) Subsection (1) of this section does not apply to ordinances regulating, restricting or prohibiting the discharge of firearms on a shooting range or in a shooting gallery or other area designed and built for the purpose of target shooting. [1997 c.403 §1]

## Deadly Force Laws

### Chapter 161 — General Provisions

#### Justification

**161.190** Justification as a defense.

**161.195** "Justification" described.

**161.200** Choice of evils.

**161.205** Use of physical force generally.

**161.209** Use of physical force in defense of a person.

**161.215** Limitations on use of physical force in defense of a person.

**161.219** Limitations on use of deadly physical force in defense of a person.

**161.225** Use of physical force in defense of premises.

**161.229** Use of physical force in defense of property.

**161.235** Use of physical force in making an arrest or in preventing an escape.

**161.239** Use of deadly physical force in making an arrest or in preventing an escape.

**161.245** "Reasonable belief" described; status of unlawful arrest.

**161.249** Use of physical force by private person assisting an arrest.

**161.255** Use of physical force by private person making citizen's arrest.

**161.260** Use of physical force in resisting arrest prohibited.

**161.265** Use of physical force to prevent escape.

**161.270** Duress.

## Knife Laws State/Cities

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

## Carry in Restaurants That Serve Alcohol

**YES**

**Note:** What is defined as carry in a restaurant that serves alcohol is a place like Friday's or Red Lobster. This does not mean a bar or the bar area of a restaurant. Handgunlaw.us believes you should never consume alcohol when carrying your firearm. In some states it is illegal to take even one drink while carrying a firearm.

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

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

## LEOSA State Information

[State LEOSA Information](#)

[State Training Dept on LEOSA Qualifications](#)

[State Police FAQ On Retired Officers Carrying](#)

## Attorney General Opinions/Court Cases

[Oregon AG - Court Ruling - Self-Defense](#)

## Airport Carry/Misc. Information

**Airport Carry:** Parking Lots and Terminal OK. Portland Airport Has Regulation & is Posted 166.370

**Training Valid for:** No set time period.

**Time Period to Establish Residency:** 6 Months

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

**Permit/License Info Public Information:** YES

**State Fire arm Laws:** 166.170 thru 166.638

**State Deadly Force Laws: 161.190 thru 161.270**

**State Knife Laws: 161.015 & 166.24**

**Chemical/Electric Weapons Laws: 163.212 & 163.213**

**Body Armor Laws: 166.641 thru 166.643**

**Does Your Permit Cover Other Weapons Besides Firearms? NO 166.291**

## Updates to this page

**3/13/09** – Spelling error fixed. Places Off Limits sections added.

**6/1/09** – Additional LEOSA Links Added

**6/29/09** – Non Resident permit info updated with info on those who own or lease property in OR.

**7/1/09** – Link Repaired

**8/22/09** – All links checked and updated if needed.

**8/27/09** - St/Nat Forest & WMA Carry Info Updated.

**8/31/09** - NE now honors an OR Permit.