

Guide to Nevada Laws Concerning Carry of Firearms

Open Carry

In Nevada, a person who may legally own a firearm may carry a firearm openly. Per [NRS 202.360](#), felons, drug addicts, fugitives, illegal immigrants, and the mentally ill are generally prohibited from owning a firearm. Per [NRS 202.300](#), generally, one must be at least 18 years old to carry a firearm, unless accompanied by an adult. Although [Title 18 USC 922 B](#) prohibits the sale of handguns to persons under the age of 21, *if the seller has a federal firearms license*, the only federal age restriction on handgun possession is [Title 18 USC 922 X](#), which specifies that one must be at least 18 years old to possess a handgun.

Nevada does not have laws specifically allowing open carry. There are no laws making it illegal though, therefore it is legal. Using the internet archive at <http://www.archive.org/index.php> for <http://ag.state.nv.us/> (Nevada Attorney General Website), there is recognition by the Attorney General of Nevada of the legality of open carry in the FAQ section of old versions of the website. The current website does not contain this information.

Concealed Weapons

[NRS 202.350](#) is the law concerning concealed weapons.

Below is the definition of a concealed weapon per this law:
Quote:

"Concealed weapon" means a weapon described in this section that is carried upon a person in such a manner as not to be discernible by ordinary observation.

Anyone concealing a firearm without a concealed firearm permit recognized by Nevada is guilty of a category C felony. Per [NRS 202.3688](#), [NRS 202.3689](#), and the Department of Public Safety [list](#), Nevada recognizes permits from AK, AR, ID (Enhanced permit only), IL, KS, KY, MI, MO, NE, NM, NC, ND (Class 1 permit only), OH, SC, and TN. However, Nevada residents must have permits issued by their county of residence. Per [NRS 202.3667](#), permit holders must carry the permit and proper identification when carrying a concealed firearm. Also, upon request by a police officer the permit and identification must be presented. The penalty for violation of NRS 202.3667 is a civil penalty of \$25.

According to [Attorney General Opinion AG 93-14](#), a weapon is concealed only if it is hidden on a person, (such as under a jacket,) or if it is in a container that is being carried by that person. For example, if a gun is in a briefcase and the briefcase is in one's hand, then that person is carrying a concealed weapon. But if that briefcase is on the floor nearby then that person is not carrying a concealed weapon.

Vehicles

In a vehicle, a weapon may be concealed anywhere within the vehicle, or it may be out in the open within the vehicle. The only place it may not be when in a vehicle is concealed upon a person, such as under a jacket or in a pocket, unless that person has a concealed firearm permit.

According to [NRS 503.165](#) one may not have in a vehicle any rifle or a shotgun with the chamber loaded. Rifles and shotguns may contain a fully loaded magazine however. Handguns are fine fully loaded including with a loaded chamber.

Alcohol

Per [NRS 202.527](#) a person with a blood alcohol concentration of 0.10 or higher may not possess a firearm.

Location Restrictions

Per [NRS 202.265](#) one may not have a firearm anywhere on the property of a University, School, or Child Care facility. Also, per [NRS 393.410](#) loitering near school grounds with a dangerous weapon carries a greater penalty than loitering near school grounds without a weapon.

Per [NRS 218A.905](#) one may not possess a firearm in the legislative building nor in any other place where the legislature is conducting its business.

Per [NRS 202.3673](#) people with concealed firearm permits may not carry a *concealed* firearm into government buildings if the buildings are located on public airport property or if the buildings have metal detectors or signs indicating that no firearms are allowed at each public entrance. An application form described in [NAC 202.020](#) states that all government buildings are off limits to *concealed* carry but there does not appear to be any law or regulation to support this.

A sign on a private building stating that no firearms are allowed does not make firearms illegal there. If one is asked to leave however and does not then that person is trespassing per [NRS 207.200](#).

Per [NAC 408.615](#) in a roadside park or rest area one may not "exhibit or use a firearm or other weapon." There is no definition given of exhibit, but per [NRS 408.433](#), the penalty for the first violation of this regulation is a fine of not more than \$1000.

State Preemption

[NRS 244.364](#), [NRS 268.418](#), and [NRS 269.222](#) state that the legislature reserves to itself the right to regulate the transfer, sale, purchase, possession, ownership, transportation, registration and licensing of firearms and ammunition in Nevada, and that no county, city or town respectively may infringe upon these rights. These laws specifically allow localities to regulate the unsafe discharge of firearms, and they also allow Clark County to maintain handgun registration. However, one must be in Clark County for 60 days before registration is required. Also, per [NRS 407.0475](#) the Nevada Division of State Parks may not enforce regulations more restrictive than the state law with regards to firearm possession and self-defense.

Federal Preemption

Per [Title 18 U.S.C. Section 926A](#), regardless of prohibitive local laws, one may transport a firearm from one place where a firearm is legal to another place where firearms are legal without fear of prosecution, if the firearm is transported in a specific way. To be protected under this law, the firearm and the ammunition must not be readily accessible from the passenger compartment, or if the vehicle has no compartment other than the driver's compartment, then the firearms and ammunition must be in a locked case other than the glove box or console. The law imposes no requirement to transport a firearm in such a manner, unless one is seeking protection from prohibitive local laws. This law is unlikely to be useful in Nevada, where restrictions on firearms are relatively minimal.

Also, [Public Law 111-24 Section 512](#) states that no regulation that prohibits an individual from possessing a firearm in any unit of the National Park System or the National Wildlife Refuge System shall be enforced if the possession of the firearm is in compliance with the law of the State.

Federal Restrictions

One may not carry or store a weapon on postal property per [39 CFR 232.1](#), nor carry a weapon on VA property per [38 CFR 1.218](#). Per [Title 18 U.S.C. Section 930](#) one may not carry a weapon in buildings owned by the federal government, although one exception allows for "the lawful carrying of firearms or other dangerous weapons in a Federal facility incident to hunting or other lawful purposes." Per [49 CFR 1540.111](#) firearms are prohibited in the sterile areas of an airport.

[Title 18 U.S.C. Section 922, \(Q\)](#) is a federal law concerning school zones. Below is the main excerpt of the law.

Quote:

It shall be unlawful for any individual knowingly to possess a firearm that has moved in or that otherwise affects interstate or foreign commerce at a place that the individual knows, or has reasonable cause to believe, is a school zone.

Exceptions to this law include the individual possessing the firearm being on private property, the individual possessing a firearm having been licensed to do so by the state where the school zone is located, or the firearm being unloaded and in a locked case. [Title 18 U.S.C. Section 921 Definitions](#) determines that a school zone is within 1000 feet of a school.

The history of this law is important. In 1990, Congress passed the [Gun Free School Zones Act](#). In 1996, in *United States vs. Lopez*, the act was considered an unconstitutional extension of the commerce clause and thus was voided. Immediately after that, Congress passed a nearly identical law, but modified it declaring that **all** firearms have moved in interstate commerce and made it a crime to possess a firearm that has moved in interstate commerce in a school zone. This federal law may [still](#) be unconstitutional. The penalty for a conviction is up to five years in prison, a fine, or both.

This document *should not* be construed as legal advice. Always check the laws. This pamphlet **attempts** to accurately reflect the laws as of August 24, 2014. Other laws may exist. Check armsinfo.com/nevada/ for more information on Nevada weapon laws.