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## Michigan's Concealed Pistol Law - Frequently Asked Questions

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### Concealed Pistol License (CCW Permit) & Renewal

**1. What are the requirements to receive a concealed pistol permit?**

MCL 28.425b Please select the below website for an outlined description. Please see: [Requirements to Obtain a Permit](#)

**2. How do I renew my concealed pistol permit?**

MCL 28.425l Please see: [Permit Renewal](#) for an outlined description for renewal procedures.

**3. How long is the Concealed Pistol License course that I took valid?** MCL 28.425j specifies what conditions must be met in the course required to get a Concealed Pistol License. One of those requirements is that the program provides a certificate of completion stating the program complies with the requirements of this section. There is not an expiration date on the training. However, your local county gun board will review the training certificate to see if is acceptable.

**4. I received my original Concealed Pistol License after July 1, 2001 and have since moved to another county. Do I need to reapply in the new county?** No. The Concealed Pistol License is a state license and a change of county residency does not change the status. However, when your license expires, the renewal of that license should occur in your new county of residence.

**5. How old do I have to be in order to apply for a concealed pistol permit?**

MCL 28.421 Twenty-one (21) years of age.

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### Information for CPL Holders

**1. What must a CCW permit holder do when "stopped" by police?**

Please See: [Encounters with Police.](#)

**2. Are there any places where I may not carry a concealed pistol?**

MCL 28.425o Anyone licensed to carry a concealed pistol from Michigan or another state shall not carry a concealed pistol in any of the pistol free zones. For a complete list, please see: [Pistol Free Areas](#). Under Federal law, firearms are also restricted in federal facilities. A federal facility means "a building or part thereof owned or leased by the federal government, where federal employees are regularly present for the purpose of performing their official duties." This includes facilities such as post offices and federal courts.

### **3. When may a concealed pistol be seized?**

28.425g. Pistol subject to seizure and forfeiture.

Sec. 5g. A pistol carried in violation of this act is subject to seizure and forfeiture in the same manner that property is subject to seizure and forfeiture under sections 4701 to 4709 of the revised judicature act of 1961, 1961 PA 236, MCL 600.4701 to 600.4709. This section does not apply if the violation is a state civil infraction under section 5f unless the individual fails to present his or her license within the 45-day period described in that section. MCL 28.421 sec.

### **4. Does my valid Concealed Pistol License allow me to carry a concealed pistol in a state park?**

Yes. MCL 324.504 states that the DNR cannot promulgate or enforce a rule that prohibits a ccw holder from carrying on property under the control of the DNR.

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## **Concealed Weapons (Non-CPL Holders)**

### **1. If I do not have a CCW permit, may I transport my pistol in a motor vehicle?**

A person is now permitted to transport a pistol for a lawful purpose if the owner or occupant of the vehicle is the registered owner of the firearm and the pistol is unloaded and in a closed case in the trunk of the vehicle. If the vehicle does not have a trunk, the pistol may be in the passenger compartment of the vehicle unloaded and inaccessible to the occupants of the vehicle.

The law defines 'lawful purpose' as:

- While en route to or from a hunting or target shooting area.
- While transporting a pistol to or from home or place of business and a place of repair.
- While moving goods from one place of residence or business to another place of residence or business.
- While transporting a licensed pistol to or from a law enforcement agency for the purpose of having a safety inspection performed (registering the pistol) or to have a law enforcement official take possession of the pistol.
- While en route to or from home or place of business to a gun show or place of purchase or sale.
- While en route to or from home to a public shooting facility or land where the discharge of firearms is permitted.
- While en route to or from home to private property where the pistol is to be used as permitted by law, rule, regulation, or local ordinance.

### **2. I work as a security guard. Does my profession entitle me to carry a concealed pistol without a license in Michigan as required by my employer?**

MCL 750.227 No. You can only carry a pistol while on duty on the premises of your employer and only if it is exposed.

If you wish to carry a pistol concealed, you must obtain a concealed pistol license through the county gun board.

28.425n(2)b This does not prohibit an employer from prohibiting the carrying of the concealed pistol while in the course of his or her employment with that employer.

**3. Do I need a concealed pistol permit to carry my pistols while walking through the woods near my cabin in Michigan? If not, are there any restrictions on how or where the gun is carried?**

MCL 28.422 No license is needed to carry a pistol as long as it is exposed. However, should a person cover the pistol during inclement weather with a jacket or coat or get into a vehicle, the pistol would be concealed, and the carrier would place himself in jeopardy unless he possessed a concealed pistol permit. Per Attorney General's opinion #3158 dated February 14, 1945, a holster, in plain view, is not considered concealed. Department of Natural Resources regulations require a person to have a valid Michigan hunting license if in an area inhabited by wildlife, while in possession of a firearm.

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## **Pistol Registration, Purchase, & Transfer**

**1. Are there any fees for the following Michigan forms?**

**License to Purchase:** MCL 28.423 was repealed by PA 381 of 2000 eliminating the \$5 processing fee for obtaining a License to Purchase.

**Safety Inspection Certificate (registration):** MCL 28.429 There is no charge for the Safety Inspection Certificate.

**License to Carry a Concealed Pistol:** MCL 28.425b(5) The application fee is \$105 payable to the county clerk at the time the application is filed. Fingerprinting at the county sheriff's office is included in this cost. If you choose to be fingerprinted by a local police agency, that agency may charge an additional fee up to \$15 for fingerprinting costs.

**2. I have a replica of an antique pistol. Is it necessary that this pistol be registered in Michigan? Is it necessary that I obtain a Michigan Concealed Pistols License?**

No, antique pistols made before 1898 and replicas of antiques that use black powder, matchlock, flintlock, percussion cap or similar type of ignition system do not need to be registered. The pistol is still subject to all concealed pistol licensing laws.

**3. How old do I have to be in order to have a pistol registered in my name in Michigan?**

MCL 28.422 & 28.429 Eighteen (18) years of age. However, Federal law prohibits a federally licensed firearms dealer from selling a pistol to anyone under the age of twenty-one (21).

**4. I lost my Michigan pistol registration (Safety Inspection Certificate). How do I go about getting another one?**

MCL 28.429 You should contact your local law enforcement agency, where you currently reside, and request they re-register your pistol. Confirmation of prior registration can be made by that agency with the Michigan State Police, Firearms Records Unit, in Lansing. Another corresponding License to Purchase must be completed, unless you have a valid Concealed Pistol License.

**5. In Michigan, what is a License to Purchase and is one needed in every case where a pistol is acquired?**

MCL 28.422 A License to Purchase is a license required prior to acquisition of a pistol by purchase or gift. The important part of the License to Purchase is the affidavit signed by the purchaser swearing to their own qualifications. A License to Purchase is not needed for anyone with a valid Concealed Pistol License, for firearms dealers purchasing from wholesalers, or for relics, curios, antiques, etc., not made for modern ammunition.

**6. What are the steps necessary to purchase and legally possess a pistol in Michigan without a concealed pistol license?**

MCL 28.422 & MCL 28.429 The prospective purchaser must successfully pass (70% or more) a basic pistol safety questionnaire and obtain a License to Purchase, which is valid for 10 days, from

the local law enforcement agency. The purchaser must sign a notarized sworn statement that they meet the Michigan qualifications to purchase/obtain a pistol. At the time of the purchase, the purchaser and the seller complete the form. The License to Purchase, along with the pistol, must be returned to the local law enforcement agency within 10 days to obtain a Safety Inspection Certificate (registration).

**7. I am on leave from military service. Does this exempt me from having to register the pistols I brought with me to Michigan?**

MCL 28.422 No, you have 30 days in which to pass the basic pistol safety questionnaire and obtain a License to Purchase after your arrival into the state. You then have ten days in which to present the pistol for a Safety Inspection Certificate (registration).

**8. My uncle had a .357 magnum revolver registered in his name when he died. My brother has had custody of the gun but now wants to give it to me. What procedure do I follow to gain legal possession of this gun in Michigan, since my uncle obviously cannot sign it over to me?**

MCL 28.422 Michigan statutes provide for the personal representative of the estate or next of kin having authority to dispose of the pistol to sign the License to Purchase as the seller.

**9. I am giving my registered pistols to my son who lives in another state. How do I get the Michigan Safety Inspection Certificates out of my name?**

There are no provisions in the statute; however, send a letter to the Michigan State Police, Firearms Records Unit, 7150 Harris Drive, Lansing, Michigan 48913, advising of the transaction. The letter must include a description of the pistols, your son's name and address, and the date of transaction in order for the Firearms Records Unit to update their records. Your son must comply with the Weapons Laws of his own state.

**10. I have just moved to Michigan from another state. How much time do I have to register my pistols?**

MCL 28.422 & MCL 28.429 Upon establishing legal residency, you should immediately contact your local law enforcement agency, pass the basic safety questionnaire, and complete both a License to Purchase and Safety Inspection Certificate.

**11. Does a person have to be a United States citizen in order to purchase a pistol?** Although MCL 28.422 states a person must be a citizen of the United States to purchase a pistol, the Michigan Court of Appeals ruled this as unconstitutional. Per Federal law, you must be a legal resident alien, having resided in this state for 90 days.

**12. I found a pistol in an old house that I was fixing up. Can I get it registered in my name?** You should take it to your local police agency and they can check on the history of the pistol. They will, of course, check to make sure it is not stolen, and also for any previous registered owner. If the pistol was not previously registered, it is considered contraband, and cannot be registered to you. If there was a previous registered owner, attempts should be made to contact that person. If contact is made, the pistol will either be turned over to them, or they will sign off as seller on a License to Purchase issued to you. If attempts at making contact are futile, you can get a License to Purchase and the pistol can be released to you.

**13. I inherited a pistol from my uncle. Do I just take it in to my local police agency to get a Safety Inspection Certificate?**

MCL 28.422 Unless you have a valid Concealed Pistol License issued after July 1, 2001, you must obtain a License to Purchase first. When the owner of a pistol is deceased, the statutes provide that the next of kin or personal representative of the estate has the authority to sign as seller. You would then present the pistol to your local police agency for completion of the Safety Inspection Certificate.

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## **Firearms Rights - Persons convicted of crimes or subject to a PPO**

**1. I was arrested for making threats against my wife. As part of my probation the judge ordered the gun turned over to the state police. Can it be returned to me, and, if so, when can I claim it?**

MCL 28.434 and MCL 750.239 The statute requires weapons carried, possessed or used contrary to the Concealed Weapons Act and the Firearms Section of the penal code to be forfeited to the Director of the Department of State Police. Prior to disposition, the forfeited weapons are retained for a reasonable length of time pending any possible appeal or litigation. There are no provisions in the act for any other disposition.

**2. Is it possible to have my felony record from 20 years ago cleared so I can purchase a firearm?**

MCL 780.621 allows a person to apply to have their felony conviction set-aside if it is their only conviction. If/when the set-aside is granted, you would be eligible to purchase or possess a firearm. MCL 750.224f If the felony conviction was "non-specified", you would be eligible to possess a firearm eight years after the date of conviction or confinement and 3 years after release from probation or parole, whichever is the later date, if that date is before July 1, 2001. If the date is after July 1, 2001, only a set-aside, expungement, or pardon would allow you to possess a firearm. If the felony conviction was "specified", you must either have been granted a restoration of your firearms rights by your local county gun board prior to July 1, 2001, or have a set-aside, expungement or pardon. A "specified" felony is one in which 1 or more of following circumstances exist: An element of that felony is the use, attempted use, or threatened use of physical force against the person or property of another, or that by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense. An element of that felony is the unlawful manufacture, possession, importation, exportation, distribution, or dispensing of a controlled substance. An element of that felony is the unlawful possession or distribution of a firearm. An element of that felony is the unlawful use of an explosive. The felony is burglary of an occupied dwelling, or breaking and entering an occupied dwelling, or arson.

**3. There has been a personal protection order issued against me. Does that prohibit me from buying any firearm? Does it affect the guns that I already own?**

MCL 28.422 prohibits you from obtaining a License to Purchase if you have received notice of the Order and had an opportunity for a hearing. If the judge included in the order that you are prohibited from owning or possessing firearms, then it would affect the firearms you already own.

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## **Other Weapons (Non-Pistols)**

**1. In Michigan, can I carry a self-defense spray in my car or on my person for protection?**

MCL 750.224d Yes, but only if it is either:

- Not more than 35 grams of any combination of orthochlorobenzalmalononitrile and inert ingredients (CS gas); or
- A solution containing not more than 2% oleoresin capsicum (pepper spray) and is used in the protection of your person or property which would justify the use of physical force. It cannot be sold to a minor.

**2. In Michigan, can I carry tear gas or mace ("CN gas") in my car or on my person for protection?**

MCL 750.224d No, under the statute and according to an Attorney General's opinion, a private citizen cannot possess tear gas or mace.