

CHICAGO

Chicago Points of Interest

- 1 National Hellenic Museum
- 2 University of Illinois at Chicago
- National Museum of Mexican Art
- Lincoln Park Zoo
- Chicago History Museum
- Department of Surgical Science
- Contemporary Art Museum
- Chicago Museum of Contemporary Art
- Chicago Center for Contemporary Art
- Chicago Center for Contemporary Art

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TRAVELING WITH YOUR GUN

THE ESSENTIAL GUIDE TO CROSSING STATE LINES



The Truth About Traveling **INTERSTATE WITH YOUR GUN**

Look, there's no way around it: Traveling with a firearm across state lines is a huge inconvenience. It shouldn't be as difficult as it is, but that's the reality you're facing. What works in Arizona can get you arrested in New Jersey. What's routine in Texas can lead to a felony in New York. The bottom line is that interstate travel can be quite complex.

Whether you're flying or driving across the country, you must adhere to the specific laws and regulations during every part of your journey. Your best chance of avoiding mishaps and misunderstandings is to know the rules and follow them meticulously.

This guide will help ensure that good people like you don't end up getting caught up in a web of confusing laws. There's no replacement for knowing your stuff before you hit the road.

The USCCA exists to help responsible gun owners, and that includes helping them navigate what can sometimes seem to be a mess of state gun laws. While it's impossible to break down every travel scenario imaginable, there are some critical things you absolutely need to know if you're crossing state lines with a firearm.

Traveling With a Firearm: YOUR QUICK-REFERENCE GUIDE

FOPA (Firearms Owners' Protection Act) protection is limited. Federal law protects transport between legal locations, but in New York, New Jersey, Massachusetts, Maryland, California, Illinois, Connecticut, Hawaii and Washington, it's treated as an "affirmative defense," which means you can still be arrested if you violate a state or local gun law while you're traveling.

There are transport requirements. Your firearm must be unloaded, locked in a trunk/container and not readily accessible. Any ammunition must be separate, and your journey must be continuous.

Magazine limits matter. Carrying magazines that exceed a state's capacity limit can lead to serious legal consequences. FOPA protection applies only if the mags are locked/inaccessible to the passenger compartment and you're traveling through the state on a continuous journey. Many states enforce strict magazine-capacity limits, often 10 rounds or fewer. Before you cross state lines, ensure your magazines comply with local laws so that you can avoid potential felony charges.

Flying tends to be more straightforward. Flying with a firearm is permissible under federal law, but you still must comply with all TSA and airline-specific regulations to avoid potential legal issues.

Have a plan for if you're pulled over. Keep your hands visible and follow all instructions EXACTLY. Inform the officer that you're in possession of a firearm only if it's legally required. Don't consent to any searches, and call the USCCA (1-877-677-1919) if things go sideways.

Keep in mind that hotel stays are risky. Courts have ruled inconsistently on whether overnight stays void FOPA protection. Use a portable gun safe cabled to an immovable object if you must stay.

Make a pre-trip checklist. Check all state laws, print permits, plan gas stops strategically, verify hotel policies, inspect cases/locks, and inform someone of your route.

Keep moving. Don't make any unnecessary stops in restrictive states. In other words, stop only for gas, food and bathroom breaks — no tourism.

Don't advertise. Don't display any gun-related stickers or wear any shirts or hats while you're traveling interstate.

Find trustworthy resources. Even careful gun owners have faced legal nightmares from interstate travel. The USCCA offers resources that can help you navigate the complex landscape.

Interstate Travel FLOWCHART

PLANNING YOUR TRIP

Is your firearm legal in BOTH your departure state AND your destination state?

NO

NO, not legal in one or both locations

STOP! Reconsider or leave firearm at home.

YES

YES, legal in both locations

Do your magazines comply with magazine-capacity restrictions in ALL of the states on your route?

NO

NO, not legal in all states

STOP! Use compliant mags or leave at home.

YES

YES, magazines comply with all state limits

FOPA TRANSPORT REQUIREMENTS

- 1 Firearm unloaded
- 2 Firearm AND ammo locked in trunk/container
- 3 Firearm not readily accessible to passengers

I'M DRIVING

- 1 Lock firearm in trunk.
- 2 Keep moving through more-restrictive states.

How are you traveling?

I'M FLYING

- 1 Lock unloaded firearm in hard case and declare at check-in counter.
- 2 Keep the keys/combination.

WARNING!

Take extra caution in NY, NJ, MA, MD, CA, IL, CT, HI and WA, where FOPA is treated as an "affirmative defense."

Firearms Owners' Protection Act: **YOUR PROTECTION** (SORT OF)

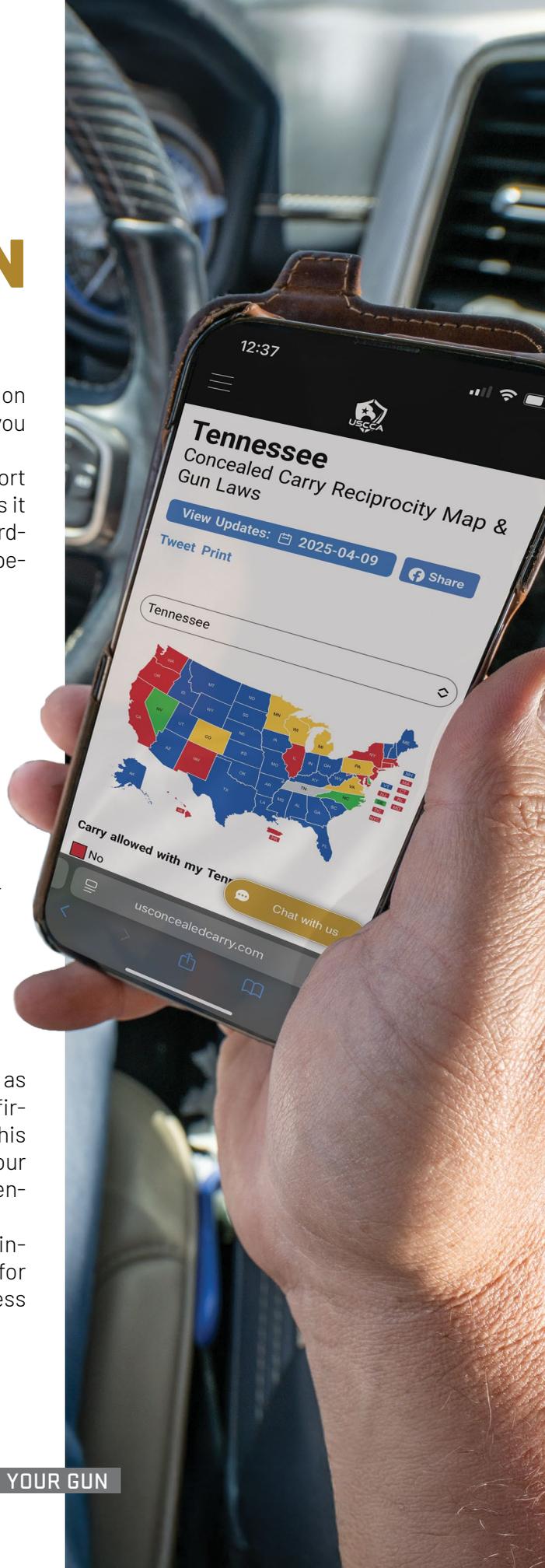
Some people talk about the Firearms Owners' Protection Act (FOPA) like it's some sort of magic shield that lets you drive coast to coast with your gun. It's not.

The federal law (18 U.S.C. § 926A) allows you to transport a firearm from one place where you can legally possess it to another place where you can legally possess it, regardless of local laws along your route. But there are very specific conditions:

- 1 Your firearm must be unloaded.
- 2 Both your firearm and any ammunition must not be readily accessible. (Ideally, they'll be locked in your trunk). If you're in a vehicle without a separate compartment, your firearm must be in a locked container other than the glove compartment or console.
- 3 Your journey should be continuous, without unnecessary stops beyond gas, food and bathroom breaks.
- 4 Both your starting point AND your destination must be places where you can legally possess the specific firearm in question.

Here's what the law doesn't tell you: In states such as New York and New Jersey, FOPA is treated as an "affirmative defense" rather than protection from arrest. This means you could still be arrested and need to raise your FOPA protection in court — a process that can be expensive and time-consuming.

[Download the USCCA App](#) for instant reciprocity information and access to need-to-know gun laws for all 50 states. The info in the app has helped countless USCCA Members avoid making serious mistakes.



Magazine Capacity: **THE RULES NOBODY THINKS ABOUT**

Perhaps you've heard a conversation such as this:

*"But my gun is legal
in both states!"*

*"Yeah, but those
magazines aren't."*

As of right now, a good number of states have some sort of magazine-capacity restriction.

- **10-round max:** California, Connecticut, Hawaii (for handguns), Illinois (for rifles), Maryland, Massachusetts, New Jersey, New York, Oregon, Rhode Island, Vermont (for long guns), Washington and Washington, D.C.
- **15-round max:** Colorado, Illinois (for handguns) and Vermont (for handguns)
- **17-round max:** Delaware

Some cities have their own restrictions too, such as Columbus, Ohio, limiting magazines to 30 rounds.

If you have a 15-round magazine and travel through a state that criminalizes possession of a magazine with a capacity of more than 10 rounds, FOPA won't protect you. This was decided back in the '90s in a New Jersey court case (*Coalition of New Jersey Sportsmen v. Florio*), and it's still the law of the land. The court basically said that federal law doesn't override state-level magazine restrictions.





Flying With a Firearm: **(USUALLY) NOT THAT BAD**

Flying with a firearm is actually one of the more straightforward parts of gun travel if you strictly follow the rules:

- 1 Secure your UNLOADED firearm in a hard-sided case that YOU lock (do not use a TSA lock; you need one that only you can open).
- 2 Declare your firearm at the airline check-in counter (never at security).
- 3 Fill out the airline's declaration form.
- 4 Allow the agent to verify that your firearm is unloaded (if requested).
- 5 Keep the key or combination to your hard-sided case with you at all times.

According to recent stats, TSA caught almost 6,700 firearms at checkpoints last year, and nearly all were loaded. The fine can hit \$15,000, plus you could face criminal charges depending on where you are.

Keep in mind too that there are major differences between airports. Orlando and Dallas? Smooth sailing. LaGuardia or JFK? Absolute nightmare. Newark? Agents there almost seem disappointed if they don't get to detain someone.

Regardless of the location in which you find yourself, remember that this whole process takes time. Even in a gun-friendly state, you'll likely need at least an additional 45 minutes for check-in (and likely 90 minutes or more in a problematic state). Consider avoiding flying with a firearm through any NYC airport unless it's absolutely necessary.

Most airlines have their own requirements beyond TSA rules. For instance, American Airlines limits ammunition to 11 pounds per passenger, and Delta requires specific handling forms. Always check your airline's current policy before your trip.



Flying With a Firearm: **MANAGEABLE, BUT** **REQUIRES PREPARATION**

Declare at check-in: Always declare your firearm at the airline's check-in counter — not at the TSA security checkpoint. Failure to do so can lead to serious legal consequences.

Properly store your firearm. Your firearm must be unloaded and placed in a [locked, hard-sided container](#), and only you should retain the key or combination. Avoid using a TSA-approved lock, as TSA agents should not have access to your firearm case unless you are present.

Follow ammunition guidelines. Any ammunition must be securely packed in fiber, wood or metal boxes specifically designed to carry small amounts of ammunition. Some airlines may allow loaded magazines if they fully enclose the ammunition, but it's best to check with your airline beforehand.

Give yourself extra time. Arrive at the airport at least 45 to 90 minutes earlier than usual to accommodate the firearm-declaration process and any additional screening that may be required.

Carry documentation. Carry printed copies of the following documents:

○ [49 CFR § 1540.111](#)
Highlight the section stating: "(iv) The container in which it is carried is locked, and only the passenger retains the key or combination."

○ [18 USC § 922\(e\)](#)
Highlight the section stating: "No common or contract carrier shall require or cause any label, tag or other written notice to be placed on the outside of any package, luggage or other container that such package, luggage or other container contains a firearm."

○ [TSA's Firearms and Ammunition Guidelines](#)
Familiarize yourself with the requirements and keep a copy on hand.

○ Your specific airline's firearms and ammunition policy
For example, [United Airlines' policy](#).

To sum things up, remember to declare your firearm (unloaded and in a locked, hard case for which you keep the keys) at the airline's check-in counter (not security). You'll need extra time to make all of this happen smoothly, so give yourself an additional 45-90 minutes to do so. It's also a good idea to call your particular airline to verify its policy, as many airlines differ in their requirements.

Driving Interstate With a Firearm: **THE REAL-WORLD APPROACH**

If you're driving through any restrictive states with your firearm, you may wish to adopt a conservative approach:

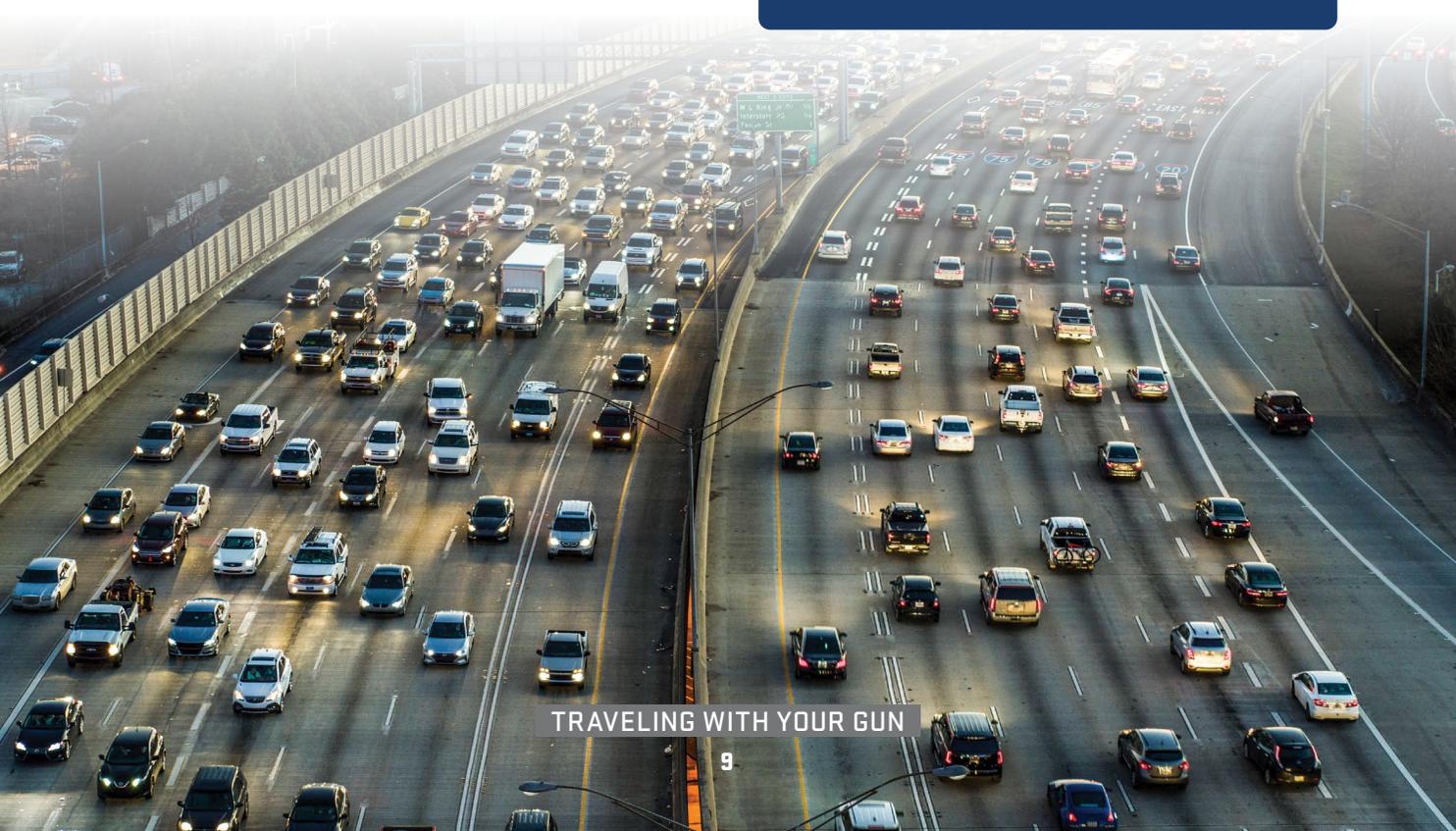
- 1 Secure your unloaded firearm in a [locked case](#) in the trunk.
- 2 Keep ammo in a separate locked container, also in the trunk.
- 3 Forget the advertising; leave gun-related stickers, shirts and hats at home.
- 4 Keep moving; stop for gas, food and bathroom breaks only. Save the sightseeing for another time.
- 5 Don't consent to any searches (decline politely, of course).
- 6 If you're asked, don't lie about your gun, but don't volunteer information unless it's required by law.

The last point is critical. Some states have "duty to inform" laws that require you to immediately tell an officer if you're carrying. Others don't. The wrong move either way can cause you a lot of problems.

STATES WITH THE MOST-RESTRICTIVE FIREARMS-TRANSPORTATION LAWS:

- New York (especially NYC)
- New Jersey
- Massachusetts
- Maryland
- California
- Illinois (Chicago area)
- Connecticut
- Hawaii
- Washington

These states tend to have the most-aggressive enforcement and strictest interpretations of transportation laws. Several treat FOIA as an "affirmative defense" rather than protection from arrest. If you can route around these states, do it. If not, be absolutely meticulous about following the law.





If You Get **PULLED OVER**

This is where most problems start. If you get pulled over while you're transporting a gun interstate:

- 1 Keep your hands visible on the steering wheel.
- 2 Follow the officer's instructions EXACTLY.
- 3 If you're in a duty-to-inform state, calmly inform the officer about your firearm and its location.
- 4 Provide any requested documentation and answer direct questions truthfully.
- 5 If you're asked about weapons, don't lie, but specify that your gun is unloaded and locked and is being transported in accordance with federal law.
- 6 DON'T consent to any searches, but if an officer searches anyway, don't resist.
- 7 If things go sideways, stop talking and call a lawyer.

Rob Chadwick, the USCCA's Head of Personal and Public Safety and a veteran law enforcement officer, offers some solid advice about this very issue. He says, "You need to be mentally, physically and legally prepared so that at the end of the day you can be where you want to be: safe and secure in the comfort of your own home instead of in jail, injured or worse."

If you're a USCCA Member, you have access to an arsenal of useful information that can help you handle such a situation calmly and respectfully. As always, you should know the rules and have a plan in place before you hit the road.

Not a USCCA Member yet? Learn more about USCCA Membership resources and benefits, including the USCCA Concealed Carry Reciprocity Map, at USConcealedCarry.com/membership.



Hotel Stays: **THE GRAY AREA** **NOBODY TALKS** **ABOUT**

Courts have ruled inconsistently on whether staying overnight in a hotel disqualifies you from FOIA protection. The Third Circuit basically said that once you're in a hotel, your gun becomes "accessible," which means you lose protection.

Hotel firearms policies are all over the map:

- Marriott generally allows guns where it's legally permitted.
- IHG (Holiday Inn, etc.) lets individual hotels decide.
- Many hotels require secure storage in your room.
- Some hotels in Texas have state laws that protect a guest's right to store a firearm.
- Always call the specific hotel before you book (corporate policies often don't match what actually happens at local properties).

FOR SECURE STORAGE:

- Keep your firearm in a locked container, even in your room.
- Use a portable gun safe cabled to something immovable, if possible.
- Know local storage laws (California, Michigan and several other states now require secure storage).



Reciprocity Is **NOT** TRANSPORTATION

People confuse reciprocity and transportation all the time. Reciprocity concerns CARRYING a gun (loaded, accessible). Transportation rules are about moving an unloaded, locked-up gun through states.

Right now, 29 states have constitutional carry, with several (including Tennessee) having specific qualifications. North Carolina has legislation moving forward that would make it a constitutional carry state as well. These boundaries create dangerous transition zones, where you can go from perfectly legal to felony in literally one step across a state line.

Check out the [reciprocity map on the USCCA website](#) to know where your permits are honored.

Your Pre-Trip ROUTINE

Before ANY interstate trip with your firearm, you should:

- 1 Check reciprocity and transportation laws for EVERY state on your route.
- 2 Print hard copies of your permits and any relevant laws.
- 3 Plan your stops strategically (gas up before entering any restrictive states).
- 4 Call hotels to confirm their policies.
- 5 Check any cases and locks and your overall setup.
- 6 Tell someone your exact route and check-in times.

Preparation is key here. The more you know, the smoother you can expect your travels to be.

Why Choose USCCA?

The USCCA exists to help educate, train and support responsible gun owners. A law-abiding citizen shouldn't face financial ruin after doing everything right in a self-defense situation. For about the cost of a box of ammo each month, you get:

- Self-defense liability insurance with serious coverage limits for when you need legal defense
- Access to criminal defense attorneys who actually understand gun laws
- 24/7 emergency support after a self-defense incident
- Education and training resources that keep you sharp and prepared
- The USCCA App, which features reciprocity and state gun law facts you need to know before and while you're traveling
- *Concealed Carry Magazine*

"Careful" doesn't cut it anymore. Gun laws have gotten more complex, and the stakes have never been higher. The USCCA can help you make sense of these complexities and, more importantly, help you travel safely – and legally – with your firearm.



Ready to Join More Than
850,000 Responsibly Armed Americans?
BECOME A USCCA MEMBER TODAY.

Final THOUGHTS

Traveling with a firearm – safely and legally – in America is a patchwork of contradictory laws and selective enforcement. It shouldn't be this way, but it is. The key to staying compliant no matter where you go is preparation and documentation.

For all its complexity, it really comes down to this: Know before you go, document everything, be polite but firm if you're questioned, and have legal backup ready.

Stay safe, stay legal and happy travels!



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