

## Firearms Transportation in Motor Vehicles

*What is the history of Minnesota's laws regarding the transportation of firearms in motor vehicles?*

Since 1986, Minnesota has had a law prohibiting a person from transporting a firearm in a motor vehicle unless the firearm is unloaded and fully secured in a gun case expressly made for that purpose, or is unloaded and in the closed trunk of a motor vehicle. ([Minn. Stat. § 97B.045](#))

The law provides an exception for a handgun being carried under the terms of a valid permit to carry (i.e., in accordance with [Minnesota Statutes section 624.714](#)). When being transported by a person with a valid permit to carry, a handgun may be cased or uncased, loaded or unloaded, and concealed or openly carried.

In 2009, the law was amended to allow an uncased, unloaded rifle or shotgun to be transported in a motor vehicle in the following situations:

- while at a shooting range, as defined under [Minnesota Statutes, section 87A.01](#), subdivision 3, where the person has received permission from the lawful owner or possessor to discharge firearms
- while lawfully hunting on private or public land, including possessing a valid hunting license (if required)
- while traveling to or from a site where the person intends to hunt lawfully that day or has hunted lawfully that day

The rifle or shotgun, whether cased or uncased, must still remain unloaded while being transported in a motor vehicle. ([Laws 2009, ch. 176](#), art. 2, § 40) (The original 2009 law had an exception that also required a rifle or shotgun to remain cased within an area where the discharge of a firearm has been prohibited by ordinance. In 2011 the law was amended to remove that requirement. ([Laws 2011, 1<sup>st</sup> spec. sess., ch. 2](#), art. 5, § 41.))

A rifle or shotgun must remain cased while being transported in a motor vehicle:

- within Anoka, Hennepin, and Ramsey counties;
- within the boundary of a city with a population of 2,500 or more;
- on school grounds; and
- as regulated under statutes governing game refuges, shining of artificial lights, and use of night vision devices.

*Are there any other exemptions to the law?*

None of the restrictions in [Minnesota Statutes, section 97B.045](#), regarding the transportation of firearms, apply to a disabled person if:

- the person possesses a permit for disabled hunters issued under [Minnesota Statutes, section 97B.055](#), subdivision 3; and
- the firearm is not loaded in the chamber until the vehicle is stationary, or is a hinge-action firearm with the action open until the vehicle is stationary.

The 2009 law also repealed a third condition that required the disabled person to be participating in a hunt sponsored by a nonprofit or to be hunting on land owned or leased by the disabled person. ([Laws 2009, ch. 176](#), art. 2, § 39)

***What is the penalty for violating the law?***

It remains a misdemeanor crime to violate Minnesota's firearms transportation law. The crime is punishable by up to 90 days in jail and a \$1,000 fine.

***Does the law affect a person with a permit to carry?***

No. A person with a valid permit to carry a pistol issued in accordance with the Minnesota Personal Protection Act of 2003 ([Minn. Stat. § 624.714](#)) can still transport a pistol in a motor vehicle (whether as a driver or a passenger), irrespective of whether it is cased or uncased, is loaded or unloaded, or is concealed or being carried openly.

***Does the law affect who may possess a firearm?***

No. A person's status under federal and Minnesota law as a firearms-prohibited person is not affected by the new or the previous firearms transportation law. A firearms-prohibited person continues to be prohibited from possessing any firearm in any manner, including for the purpose of transporting it.

***How are the terms of the game and fish laws defined for the firearms transportation law?***

For purposes of [Minnesota Statutes, section 97B.045](#), and other game and fish laws, certain key terms are defined as follows:

- "Motor vehicle" means a self-propelled vehicle or a vehicle propelled or drawn by a self-propelled vehicle that is operated on a highway, on a railroad track, on the ground, in the water, or in the air ([Minn. Stat. § 97A.015](#), subd. 32)
- "Hunting" means "taking" birds or mammals. "Taking" is further defined as pursuing, shooting, killing, capturing, trapping, snaring, angling, spearing, or netting wild animals, or placing, setting, drawing, or using a net, trap, or other device to take wild animals. Taking includes attempting to take wild animals and assisting another person in taking wild animals. ([Minn. Stat. § 97A.015](#), subds. 26 and 47)
- "Possession" means both actual and constructive possession and control of the things referred to. ([Minn. Stat. § 97A.015](#), subd. 36)

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