

## Utah Firearm Laws

### **76-10-504. Carrying concealed dangerous weapon -- Penalties.**

(1) Except as provided in Section [76-10-503](#) and in Subsections (2), (3), and (4), a person who carries a concealed dangerous weapon, as defined in Section [76-10-501](#), including an unloaded firearm on his or her person or one that is readily accessible for immediate use which is not securely encased, as defined in this part, in or on a place **other than the person's residence, property, a vehicle in the person's lawful possession, or a vehicle, with the consent of the individual who is lawfully in possession of the vehicle, or business under the person's control** is guilty of a class B misdemeanor.

(2) A person who carries a concealed dangerous weapon which is a loaded firearm in violation of Subsection (1) is guilty of a class A misdemeanor.

(3) A person who carries concealed a sawed-off shotgun or a sawed-off rifle is guilty of a second degree felony.

(4) If the concealed firearm is used in the commission of a violent felony as defined in Section [76-3-203.5](#), and the person is a party to the offense, the person is guilty of a second degree felony.

(5) Nothing in Subsection (1) or (2) shall prohibit a person engaged in the lawful taking of protected or unprotected wildlife as defined in Title 23, Wildlife Resources Code of Utah, from carrying a concealed weapon or a concealed firearm with a barrel length of four inches or greater as long as the taking of wildlife does not occur:

(a) within the limits of a municipality in violation of that municipality's ordinances; or

(b) upon the highways of the state as defined in Section [41-6a-102](#).

## Utah Firearm Laws

### **76-10-505. Carrying loaded firearm in vehicle or on street.**

(1) Unless otherwise authorized by law, a person may not carry a loaded firearm:

(a) in or on a vehicle, **unless:**

(i) **the vehicle is in the person's lawful possession; or**

(ii) **the person is carrying the loaded firearm in a vehicle with the consent of the person lawfully in possession of the vehicle;**

(b) on a public street; or

(c) in a posted prohibited area.

(2) Subsection (1)(a) does not apply to a minor under 18 years of age, since a minor under 18 years of age may not carry a loaded firearm in or on a vehicle.

(3) Notwithstanding Subsection (1)(a)(i) and (ii), a person may not possess a loaded rifle, shotgun, or muzzle-loading rifle in a vehicle.

(4) A violation of this section is a class B misdemeanor.

### **76-10-511. Possession of loaded firearm at residence or on real property authorized.**

Except for persons described in Section [76-10-503](#) and 18 U.S.C. Sec. 922(g) and as otherwise prescribed in this part, **a person may have a loaded firearm:**

(1) **at the person's place of residence, including any temporary residence or camp; or**

(2) **on the person's real property.**

## Utah Firearm Laws

### **76-10-523. Persons exempt from weapons laws.**

(1) This part and Title 53, Chapter 5, Part 7, Concealed Weapon Act, do not apply to any of the following:

- (a) a United States marshal;
- (b) a federal official required to carry a firearm;
- (c) a peace officer of this or any other jurisdiction;
- (d) a law enforcement official as defined and qualified under Section

### **53-5-711;**

(e) a judge as defined and qualified under Section **53-5-711**;

(f) a common carrier while engaged in the regular and ordinary transport of firearms as merchandise; or

(g) a nonresident traveling in or through the state, provided that any firearm is:

- (i) unloaded; and
- (ii) securely encased as defined in Section **76-10-501**.

(2) The provisions of Subsections **76-10-504**(1) and (2), and Section **76-10-505** do not apply to any person to whom a permit to carry a concealed firearm has been issued:

- (a) pursuant to Section **53-5-704**; or
- (b) by another state or county.

## Utah Firearm Laws

### **76-10-505.5. Possession of a dangerous weapon, firearm, or sawed-off shotgun on or about school premises -- Penalties.**

(1) A person may not possess any dangerous weapon, firearm, or sawed-off shotgun, as those terms are defined in Section [76-10-501](#), at a place that the person knows, or has reasonable cause to believe, is on or about school premises as defined in Subsection [76-3-203.2](#)(1).

(2) (a) Possession of a dangerous weapon on or about school premises is a class B misdemeanor.

(b) Possession of a firearm or sawed-off shotgun on or about school premises is a class A misdemeanor.

(3) **This section does not apply if:**

**(a) the person is authorized to possess a firearm as provided under Section [53-5-704](#), [53-5-705](#), [76-10-511](#), or [76-10-523](#), or as otherwise authorized by law;**

(b) the possession is approved by the responsible school administrator;

(c) the item is present or to be used in connection with a lawful, approved activity and is in the possession or under the control of the person responsible for its possession or use; or

(d) the possession is:

(i) at the person's place of residence or on the person's property;

(ii) in any vehicle lawfully under the person's control, other than a vehicle owned by the school or used by the school to transport students; or

(iii) at the person's place of business which is not located in the areas described in Subsection [76-3-203.2](#)(1)(a)(i), (ii), or (iv).

(4) This section does not prohibit prosecution of a more serious weapons offense that may occur on or about school premises.

## Utah Firearm Laws

### [76-10-500](#). Uniform law.

(1) **The individual right to keep and bear arms being a constitutionally protected right, the Legislature finds the need to provide uniform laws throughout the state.** Except as specifically provided by state law, a citizen of the United States or a lawfully admitted alien shall not be:

(a) prohibited from owning, possessing, purchasing, selling, transferring, transporting, or keeping any firearm at his place of residence, property, business, or in any vehicle lawfully in his possession or lawfully under his control; or

(b) required to have a permit or license to purchase, own, possess, transport, or keep a firearm.

(2) This part is uniformly applicable throughout this state and in all its political subdivisions and municipalities. All authority to regulate firearms shall be reserved to the state except where the Legislature specifically delegates responsibility to local authorities or state entities. **Unless specifically authorized by the Legislature by statute, a local authority or state entity may not enact or enforce any ordinance, regulation, or rule pertaining to firearms.**

[53-5a-102](#). Uniform firearm laws. (6)(b) "local authority or state entity" includes public school districts, public schools, and state institutions of higher education.

## Utah Firearm Laws

[76-10-508.1](#). Felony discharge of a firearm -- Penalties.

**(5) This section does not apply to a person:**

**(a) who discharges any kind of firearm when that person is in lawful defense of self or others;**

**(b) who is performing official duties as provided in Section [23-20-1.5](#) or [76-10-523](#) or as otherwise authorized by law**