

Nebraska



Total prohibition

(+0, improved, but still tough for non-permittees)

Total freedom

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- *Standard firearms & ammo: no restrictions on possession (handgun sales require permit) see p.2
- *Semi-auto guns & high capacity magazines: no permit required for possession or sale
- *Machine guns & suppressors: ownership lawful per federal law compliance
- *Firearm law uniformity: preemption law, local regulation of concealed carry prohibited
- *Right of Self-Defense: no NRA-model castle doctrine, *duty to retreat* in public areas
- *Open carry: lawful in most public areas under state law, but some local regulation is possible
- *Licensed concealed carry: licenses issued to residents only
- *Constitutional or “no permit required” concealed carry: no
- *Out-of-state permit recognition: conditional recognition of permits from other states (see p.65)
- *Weapons allowed for *licensed* carry: limited to handguns only
- *Vehicle carry by non-permittees: shotguns must be unloaded; rifles & handguns may be in plain view and loaded under state law, but local laws may prohibit this; to be safe, all firearms in the passenger compartment should be cased, unloaded & separate from ammunition
- *Vehicle gun possession at colleges: lawful for permittees, but subject to college policy
- *Vehicle gun possession at K-12 schools: Nebraska permittee w/loaded handgun lawful
- *Duty to notify LEO of permit status: immediately upon official contact (EMS also)
- *RV carry while “boondocking”: parking lot owners may *not* prohibit *permittees* w/guns – p.9
- *State Parks: concealed handgun carry by recognized licensees permitted
- *Restaurants serving alcohol: permittees may carry while eating in dining areas – see p.3
- *Hotels: subject to hotel policy enforcement & “force of law” posting prohibitions – see p.7
- *Airports: carry allowed in non-sterile terminal areas and parking lots – see p.9
- *Highway Rest Areas: carry allowed in buildings and on grounds unless posted – see p. 7

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Nebraska is in the heart of America's breadbasket and is often a state that travelers pass through on their way to a vacation destination in the Far West. Nebraska will provide recognized permittees with a positive atmosphere for gun carry. But travelers without permits should be aware that, despite preemption of issues affecting permit holders, Nebraska still allows localities to regulate firearms carry by non-licensees.

Recognized permittees: A license is required to carry a concealed handgun in a vehicle or on or about one's person. Permits are issued by the State Patrol to qualified residents who are at least 21 years old. They are valid for 5 years, cost \$100.00 and allow handgun carry only. Nebraska recognizes out-of-state licenses from states that have equal or greater issuance standards. Recognized permittees may not be residents of Nebraska and must be at least 21 years old. When approached by police or EMS, a permittee must declare that he is carrying a concealed handgun. Places off-limits to carry include banks, bars, churches, schools, athletic events, colleges, hospitals, political rallies, polling booths, government meetings, courthouses, police stations & jails and any posted property or business. Parking lot possession is lawful if the gun stays locked in the glove compartment or trunk of a car or the hard-sided storage compartment of a motorcycle.

Persons without recognized permits: Concealed carry of a loaded handgun is prohibited either in a vehicle or while a person is on foot. Loaded handguns in a vehicle should be stowed in the trunk unless such storage is prohibited by local ordinance. A handgun that is *unloaded* and separate from any ammunition may be kept in a closed commercial gun case anywhere inside the vehicle. This transport mode was recently codified by the legislature and should be applicable to car travel anywhere in the state. But loaded handguns that are hidden from view and readily accessible (ie. under seat, glove compartment, etc.) are illegal. While on foot, the handgun must be in a visible belt holster and not be in violation of a local ordinance. Affirmative defenses to a charge of carrying concealed exist. But qualification for a defense does not prevent an arrest.

All Persons: Loaded rifles in a vehicle must be in plain view. If hidden from view, rifles must be cased, unloaded and separate from any ammunition. Shotguns in a vehicle must be unloaded and may be in plain view or enclosed in gun cases. Nebraska's concealed carry law only applies to handgun carry. Permittees and non-permittees must observe the same rules for long gun transport.