

## Who Can Get a Maryland Carry Permit?

This informational guide can start you down the path to carrying legally in Maryland.



## Maryland Carry Laws

With the Supreme Court's decision in *NYSRPA v. Bruen* (June 2022), Maryland became a "shall issue" state. *Bruen* held that every American who is not otherwise disqualified for some reason (such as conviction for a felony or a misdemeanor punishable by more than 2 years in jail), has a constitutional right to be armed in public. Prior to *Bruen*, Maryland law required a person to provide a "Good and Substantial" (G&S) reason before issuing an individual a carry permit. Under *Bruen*, that requirement is no longer enforced.

Senate Bill 1 (SB 1), enacted in May of 2023 by the Maryland General Assembly, formally repealed the G&S requirement, effective October 1, 2023. However, SB 1 enacted a new array of restrictions applicable to where the permit holders may exercise this constitutional right. The MSI website has a detailed description of these restrictions at <https://bit.ly/3PuvHBB>. SB 1 has been challenged in court by MSI and others and the MSI website is continually being updated with developments in that litigation. <https://bit.ly/3RnpMzo/>

## Application Process

Applications for Wear and Carry Permits can only be submitted online via the Maryland State Police Licensing Portal: <https://bit.ly/3rrg136>

Along with your completed application, you will be required to submit:

- Proof of Training (or DD214)
- LIVESCAN Fingerprints receipt
- Application Fee (\$125 as of 10/1/2023)
- A recent digital Passport Photo

If the initial background checks go well, the State Police may (but often do not) require an interview with an MSP trooper or investigator who will ask a variety of personal questions. The interviewer may also talk with your references and others and will make a recommendation concerning your permit application. Then, the Licensing Division will issue their final determination and advise the applicant.

## Appeals Process

If you are denied outright by the MSP, options are available to seek the issuance or modification of a permit. **Within 10 days of your denial**, you must appeal in writing to either the MSP (an Informal Review), or to the Maryland Office of Administrative Hearings (OAH). Appeals may also be taken to the OAH within 10 days of any decision of the MSP after the informal review.

### Maryland State Police Informal Review

The MSP will allow you to present any further information regarding your denial to more senior management within the MSP-LD.

### Maryland OAH Formal Appeal

OAH hearings are run by administrative law judges (ALJs) and are quasi-formal trials with rules and procedures. You can submit additional evidence at this hearing.

In the OAH proceeding, the focus is on whether the MSP's decision should be sustained and the applicant bears the burdens of proof and persuasion. The ALJ gives deference to the MSP's determination. An attorney is not legally required but is necessary as a practical matter. Decisions of the ALJ can be appealed to circuit court.

**Need Help?** If you need help with any part in this process, MSI stands ready to provide *our members* with assistance! For help, email us: [info@marylandshallissue.org](mailto:info@marylandshallissue.org)

## The Racist History of Maryland Gun Laws

Did you know that the original Maryland law limiting carry outside of one's own property was rooted in slavery?

*“no Negro or other Slave shall be permitted to carry any Gun or any other offensive Weapon, from off their Master's Land without License from their Master”*

-- Archives of Maryland 75:268 XXXIII (1715)

That is a legacy of shame. Law-abiding persons of all races should be allowed to protect themselves legally.



## Why Citizens Should Apply

In Maryland, there is no procedure to immediately obtain a carry permit if you are ever threatened. If you need a permit right away, you are already 6-9 months too late. That is how long it usually takes to navigate Maryland's extensive training and application process, even if you are in immediate danger. If you can, obtain a carry permit now, so you have it when you need it the most.

## Why Even LEOs Should Consider Carry Permits

Surprisingly, the MSP will frequently refuse to issue permits to inactive LEOs, telling them they are ineligible, especially if they have waited more than a year to apply once separated from their active service as a Law Enforcement Officer.

During administrative suspensions or while on lengthy disability, officers will often have their issued firearms recalled.

Also, LEOSA re-certification may not be readily available, especially if you are injured, traveling, or apply during budget cuts.

Maryland Shall Issue® is an all-volunteer, non-partisan, Section 501(c)(4) organization dedicated to the preservation and advancement of gun owners' rights in Maryland. It seeks to educate the community about the right of self-protection, the safe handling of firearms, and the responsibility that goes with carrying a firearm in public.

## Join the Fight!

to recover and defend our Second Amendment rights here in Maryland.

Membership rates are extremely affordable – a basic membership is \$25 – less than a box of ammo.

100% of your dues and donations go directly to advocacy! MSI Officers and Directors receive no compensation.

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