

Gun Lawyer -- Episode 157 Transcript

SUMMARY KEYWORDS

handgun, firearm, places, carry, gun, new jersey, sensitive, state, holster, carry permit, facility, exemptions, disclose, court, beware, prohibited, gun laws, call, including, guns

SPEAKERS

Evan Nappen, Speaker 3

Evan Nappen 00:00

Hi. I'm Evan Nappen, and welcome to Gun Lawyer, the number one rated gun rights podcast in the world. And that's not me saying it, that's Feedspot who rates these kinds of things. So very proud of that. But let me go on so you understand why we're the number one rated podcast. First of all, I'm adding a feature to the show. At the end of every show, I'm going to tell you the gun owner fuckup of the week. And that's because in the profession that I'm in, I see these mistakes that are made and just shake my head. I'm going to let you, my beloved listeners, know this, so that you don't have to repeat this mistake. So that you don't make the same dumb-ass mistake that this person or persons made, and you can learn from it. I think it will be very useful and helpful so that less folks fall into the traps. This whole area is fraught with peril, and you can navigate through it better.

Evan Nappen 01:28

Now, one of the things that has come up a lot, particularly in my practice, is somebody gets their carry, which is great. We can finally get carry in New Jersey. But, of course, the question is, then, well, what do I need to know? Where can I not carry? Are there things I need to be aware of when I carry? What I want to do here in this show is put into one concise show, what you need to know, the basics, the fundamentals. The key things you must know when you get your carry license in Jersey. It is current up to the moment now. What I'm going to talk about may change. It may change because of victories in court, where some of these things may be or more even most of these things may be found unconstitutional. But right now, this moment, today, what I'm going to tell you is current. What you need to do and what you need to know so you don't get into trouble with your new carry permit.

Evan Nappen 02:32

So, let's jump into that right away. Let's start with you got your carry permit. You passed the qualifications, you have jumped through the hoops, and there you go. You have this thing that a number of years ago, no one would even think was possible to get in New Jersey. Now, you want to utilize it in a way so that you don't get into trouble, and it becomes a nightmare for you instead of a glorious ability to finally defend yourself and not be a victim but rather a defender. So, what do we need to know first? Well first, the holster. New Jersey requires that you have a specific type of holster, and the holster must be either a device or sheath. It has to securely retain the handgun. Okay, so it has to hold it securely. At a minimum, it must conceal and protect the main body of the firearm. It must maintain the firearm in a consistent and accessible position and render the trigger covered and

inaccessible while the handgun is fully seated in holster. So, that is the holster you need. It does not need to have thumb breaks or straps, or anything like that, but it does have to conceal the main body of the firearm. So, a slide-type holster isn't going to fly. It has to completely cover the trigger so that's not exposed. You start with having the proper holster.

Evan Nappen 04:38

Now that your handgun is in a proper holster, of course, you have to carry concealed in New Jersey. Open carry is not permitted unless your security, Sora (Security Officer Registration Act), and you have written permission for that. Other than that, there is no open carry. So, your handgun is concealed and now, there is imposed upon a New Jersey Permit to Carry holder what is called a "Duty to Disclose." Please make sure you recognize that there is a Duty to Disclose. Do not make this mistake. Do not fall into this trap. What is "Duty to Disclose"? It means that if you're a holder of a Permit to Carry a handgun and you are stopped or detained by a law enforcement officer, so stopped or detained by a law enforcement officer while carrying your handgun in public, that can mean even walking in the street or traveling with your handgun in a motor vehicle, you are required to immediately, and the word is immediately disclose to the law enforcement officer that you're carrying the handgun or disclose to the officer that the handgun is stored in the vehicle.

Evan Nappen 06:00

So, if you're just transporting it cased and unloaded to the range but you're a carry permit holder, you must disclose that you have the firearm in the vehicle. That handgun must be disclosed whether you're carrying it concealed on your person in the holster loaded, etc., or whether you're carrying it cased and unloaded as you would normally go to the range even without a carry permit. Because if you have a carry permit, you must disclose to the officer, and you must display the Permit to Carry a handgun. Both those things. If you fail to disclose, it's a felony level offense, a Fourth Degree crime, 18 months in State Prison for your failure to disclose. If you fail to display the carry permit, in other words, you don't have it on your person and you're carrying that handgun, you're looking at up to six months in the county jail. So, make sure you disclose and carry with you your carry permit and display it.

Evan Nappen 07:07

Now, if you are in fact detained by a law enforcement officer as part of a criminal investigation, you're also required to provide your handgun to the law enforcement officer upon request. If he asks to see your handgun or she asks to see your handgun, you have to turn it over to them for purposes of inspecting that handgun. If you fail to turn the handgun over to the law enforcement officer, that, too, is a Fourth Degree crime, felony level, 18 months in State Prison. So, make sure you fully understand this. You have a Duty to Disclose. You have a Duty to Display your carry permit, and you have a duty to turn over your handgun to the officer in a criminal investigation if the officer requests it.

Evan Nappen 07:54

There are certain things that New Jersey just bans outright when someone is carrying a handgun. If you are carrying your handgun, it is fourth degree crime, year and a half in State Prison to use or consume alcohol, cannabis or controlled dangerous substance, CDS, while carrying a handgun. So, if you are carrying a handgun, you can't consume or use alcohol or drugs. If you're carrying a handgun, you cannot be under the influence of alcohol or drugs while carrying. So, you can't use it, consume it, or be

under the influence. You also cannot carry the handgun outside of a holster or carry the handgun in public in a holster that doesn't meet the requirements. So, if you fail to meet those holster requirements that we discussed at the beginning of the show, you're looking at a year and a half in State Prison. Make sure you have the right holster. You cannot carry more than two firearms at one time. Two is the maximum number of handguns. It shall be only two. This is starting to sound like the Monty Python routine, you know, with the Holy Hand Grenade. Two. It shall be two, not more than three. But it's two. Two handguns. With that said, you can't do a John Bianchi with 40 handguns hidden all over your body. No more than two.

Evan Nappen 09:24

Lastly, you can't engage in an unjustified display of a handgun. Now, what does that even mean? It's very vague. But essentially, it goes back to what I've talked about. Don't use your gun as a "magic wand". It's not a magic wand that you wave around, that you use to intimidate, that you use to impress, that you use to make a point when you're talking. No, no, no. Leave it in the proper holster. It is only removed when you are justified in doing so. Feel free to do that. All those things that we just discussed there are felony level offenses, Fourth Degree, a year and a half in State Prison.

Evan Nappen 10:06

Now that you know that, you must also know what we call in the trade the "sensitive places". In the hissy fit that the State of New Jersey had after the Bruen decision, where they realized they have to issue carry permits now, they decided to try to create an entire barrage of places that were off limits for the permit holder. Many of these, most of these, are being battled in court, as we speak. Battled as unconstitutional restrictions on our right to keep and bear arms. But you need to be aware of these sensitive places. You cannot carry your handgun in these sensitive places. If you do, you are looking at a felony level offense, yet again. So, what are the places? Let's review them, and let's talk about them. So, this way, you don't inadvertently end up in a sensitive place, unlawfully in possession of your handgun, and facing State Prison time.

Evan Nappen 11:12

The following places are the places that are prohibited. These places include in or upon any part of the buildings, grounds or parking areas, other than a brief incidental entry into the property or lawfully carrying a firearm under N.J.S. 2C:39-6. The exemptions here are if you are just temporarily, just briefly, in the parking area. Then we're going to talk about how you need to secure your firearm if you end up in that. Or if you're still within an exemption under 39-6, then the sensitive places don't apply. It's very important to understand that exemption. Because 39-6 were the classic exemptions that we relied upon before Bruen, before the Carry Killer law, before the 25 sensitive places, before any of this. It was the exemptions by which we possessed firearms, and those exemptions still apply. Most importantly are the exemptions for possession in one's home or possession in one's place of business if it was actually your place of business, meaning one that you own. Or if you're transporting between residences while moving, or if you're going to a place of repair for the firearm, or if you're transporting to the target range or going hunting. These are the classic 39-6 exemptions. They still apply, and they can override even sensitive places, if you're solidly within those exemptions.

Evan Nappen 12:49

Now let's take a look at sensitive places themselves. So, first of all, any place that is owned, leased, or under the control of State, county or municipal government used for the purpose of government administration, including but not limited to police stations. So, basically, don't take your gun to the police station, ever. It's prohibited. Don't bring your gun to the police station. Don't bring your gun to any government, administrative type, building, etc. Those places are prohibited sensitive places. You cannot bring your handgun, even with a carry permit. You cannot bring it to a courthouse, courtroom, or any other premises used to conduct judicial or court administrative proceedings or functions. So, anything to do with the courts, stay away. Do not bring a firearm there. A State, county, or municipal correctional or juvenile justice facility, jail, or government entity for the detention of criminal suspects or offenders. I don't think that's a tough one to understand. Don't bring your gun to jail. Don't bring your gun to prison. Okay, are we clear on that one? I hope so.

Evan Nappen 14:07

A State-contracted half-way house. Now, there are these state-contracted half-way houses. Half-way houses are where people are let out on a sentence or maybe part of a sentence where they're doing it in this controlled house. They still have to report back and stay there, etc. They're called half-way houses. How are you going to identify them as a half-way house? I don't know. It's not like a half-way house has a big neon sign flashing, hey, we're a state-contracted half-way house. But don't bring your gun to a half-way house. You also cannot bring your gun to a location being used as a polling place during which the conduct of an election and places used for the storage or tabulation of ballots. Or a place where they're where they're conducting election fraud. I'm just kidding about election fraud. Don't bring your gun to any place where there is polling or voting. Stay away with guns from there.

Evan Nappen 15:11

You also cannot bring a firearm to within 100 feet of a place where a public gathering, demonstration or event is held for which a government permit is required, during the conduct of such gathering, demonstration or event. So, think about this. How the hell are we supposed to know whether this gathering required a permit or not? And by the way, it's not that they actually had a permit. It's just that one was required. So, even if the gathering is illegal and required a permit, it doesn't matter. You still can't have your firearm there. You cannot be within 100 feet of this gathering that required a permit. So, you better know all the gathering laws in every town, every municipality, as to when a permit is needed and when it's not. Cause if you're within 100 feet of one of them, well, you've got a problem.

Evan Nappen 16:06

You cannot have your firearm at a school, college, university or other educational institution, and on any school bus. You cannot have it at a child care facility, including a day care center. You cannot have at a nursery school, pre-school, zoo, or summer camp. I love that they put zoo right in there. Maybe it belongs right in there. But keep in mind anything having to do with schools, etc. nursery schools, daycares, child facilities, even up to colleges and universities, no guns. They are sensitive places. You cannot have your firearm at a park, beach, recreation facility or area or playground owned or controlled by a State, county or local government unit, or any part of such a place, which is designated as a gun free zone by the governing authority based on considerations of public safety. We also call that a victim disarmament zone or also called a soft target zone. But regardless, you can't have your gun there and

that prohibition is one of the sensitive places. So, don't fall into that trap. Be careful and avoid violating the sensitive places. Now, again, all this is under litigation. We've gone back and forth on this. I think ultimately, we're going to win, but for now, that is the law. So, beware.

Evan Nappen 17:42

You cannot have your handgun or firearm at youth sporting events, during and immediately preceding and following the conduct of that event, except that it doesn't apply to youth sporting events in which there's a firearm shooting competition. Oh, how nice. At least they're not banning firearms from firearm shooting competitions. It would be really tough to have a firearm shooting competition without a firearm. But beware of youth sporting events, both before and after, are prohibited places by their nature. A publicly owned or leased library or museum is also a sensitive place and prohibited.

Evan Nappen 18:29

Now we're going to continue with this, and we're going to make sure you're fully aware of where you can't carry. So that even though we're in this transition phase of actually, finally, being able to get a permit, the battle is now to expand the places that we can actually exercise our Second Amendment rights. The state Association, the Association of New Jersey Rifle & Pistol Clubs, is at the forefront of the battle. They are litigating as we speak in Federal court. My good friend and colleague, Dan Schmitter, and I have helped out whenever I can. This battle is ongoing. We had excellent, excellent results in front of the great Judge (Renee Marie) Bumb in Federal court. It's now in the Appellate Court, and I suspect we're going to win and win big. But it takes time, and this fight is on. I can tell you that this group, the state Association, is the number one gun rights group in New Jersey, fighting for your rights. You can see it in both the challenge to these outrageous sensitive place restrictions and the challenge to the assault firearm and large capacity, so-called large capacity magazine ban, and so-called assault firearm ban. Of course, these are simply modern sporting rifles and standard capacity magazines. But nonetheless, the fight is on. Those terms assault firearm and large capacity magazine are actually terms in the law. So, I'm forced to call them by those ridiculous names because that is actually the term used in the law that the propagandists for the anti-gunners were able to get through and put into law. But we're fighting them and challenging them. We are just doing great through the state Association, your state Association, the NRA affiliate for New Jersey. You need to be a member of this group. If you're not a member of the Association, please join. Go to anjrpc.org. Be part of the solution. You can get all the updates, and you can see the great progress as we gain liberty and gain freedom like never before. So, make sure you do that.

Evan Nappen 21:02

I also want to mention our really great friends at WeShoot. WeShoot is an indoor range in Lakewood. They're the greatest bunch of folks there. I love WeShoot. I got my certification for my carry permit at WeShoot, and you can get what you need to get licensed. They have great training. They have great facilities, and they have a lot of fun events. It is a family-friendly place. Everybody is welcome. There's no gun snobbery at WeShoot. Go there, you will be so impressed, and I'm not just saying that. I mean it. I've been there. I take my family there. It is a real endorsement from a genuine love of this place. Okay, folks, for real. Check out weshootusa.com. They have a great website. Great bunch of folks. It's centrally located right there in Lakewood. You just can't beat it. We need our ranges so bad. We need places to shoot. Without them, how are we ever going to practice or have any place to even use our

guns? Please check out WeShoot. You'll see what I mean. Anybody that goes there. I get calls, Evan, I went to WeShoot, and they were the greatest. I liked it. What did I tell you? Really, it's true. You'll be so impressed. So, check out WeShoot.

Evan Nappen 22:35

Finally, I will now shamelessly plug my book which is New Jersey Gun Law. It's the Bible of New Jersey gun law. It's over 500 pages, explains 120 New Jersey gun law topics in a question and answer format so that anyone can understand it. Even you. No, I'm just joking about that. You can understand it though because that's how I wrote it. I wanted to make it user friendly. I wanted it so that this insane matrix of gun laws can be understood. So that you don't have to become a victim of New Jersey gun laws and you can navigate this insanity. The other thing about the book is it has the newest greatest feature. Right on the front cover is a QR code that you scan. When you scan that, you for free, 100% free, join my Subscriber Portal base. You will get automatic news, within 24 hours of the latest updates on any gun laws, Attorney General changes, court decisions, you name it. You're going to know, and this keeps the book current. You have access to all the previous updates. They're all numbered. So, when you buy this book, it stays current 100% current. And that's my mission. To keep this book current so that every New Jersey gun owner can have the current gun laws because it's such a dynamic situation here. And a lot of it becomes positive, believe it or not. It's not always negative. We win a lot of things and make a lot of changes. You want to know, you need to know, and I'm out there to tell you. It's this show and those updates and my whole life, my calling and what I do. Please pick up a copy of New Jersey Gun Law - 25th Anniversary Edition and join by scanning that QR code. Sign up on the portal, and you, too, can stay informed. And not only that, but you also have it in writing. You have it in writing from an Attorney whose whole life is dedicated to this subject writing it. So, you know that you can rely on it when you have it in writing. And when someone challenges you, you can say no, no, no, right here, read the book. The guy that knows. Here's what he said, boom. You can win a lot of bar bets with that, too. Anyway, go to EvanNappen.com and get your copy of New Jersey Gun Law.

Evan Nappen 25:14

Hey, welcome back to Gun Lawyer. Let's continue with our stroll down the sensitive places. Oooo, be careful when you're strolling in sensitive places, be careful. So, we are going to be careful. Let's take a look now at the sensitive places of shelters for homeless. There's this whole litany of shelters that they put in the sensitive places. It's almost like silliness, but here we go. Shelter for the homeless, emergency shelter for the homeless, basics centers shelter program, shelter for homeless or runaway youth, children's shelter, child care, shelter, shelter for victims of domestic violence, or any shelter licensed by or under the control of the Juvenile Justice Commission or the Department of Children and Families. I guess we can't carry in shelters, huh? Yeah. Okay. And how do you know it's a shelter? I don't know. Do they have those blinking neon signs? I don't think so. Bottom line is do not carry in shelters. Guess what else is a sensitive place? A community residence for persons with developmental disabilities, head injuries, or terminal illnesses, or any other residential setting licensed by the Department of Human Services or Department of Health. So, again, look for that neon sign, "Community residence for persons with developmental disability". Of course, that's not there. But don't inadvertently end up in one of those places carrying your gun.

Evan Nappen 26:48

Here's an important one. This is really significant because it constantly comes up. You cannot carry in a bar or restaurant where alcohol is served, and any other site or facility where alcohol is sold for consumption on the premises. So, beware. A bar or restaurant where alcohol is served, or any other site where it's sold for consumption. Of course, people say, well, what if it's bring your own? What if it's bring your own? Well, is alcohol being served there? Well, it's not any other site where it's sold for consumption on the premises. But that clause, does it mean it has to be sold, even though the first part says where it's served only? If you have brought your own and you serve it to your spouse, or you serve it to your guests, are you serving alcohol at the premises? I don't know. But I bet you don't want to become the test case for it. So, look, folks, don't carry when there's booze there. Don't consume it when you're carrying. Don't be under the influence of it when you're carrying. And don't be in a place where there's alcohol, either. You're going to have to be conservative about this and not try to push the envelope. Look, we knocked that out at one point in the lower court. The higher court temporarily reversed that, but I believe we'll be able to hopefully win it back again. But for now, no bars and no restaurants where there's alcohol.

Evan Nappen 28:51

Beware. You cannot have your firearm at a Class 5 Cannabis retailer or medical cannabis dispensary, including any consumption areas licensed or permitted by the Cannabis Regulatory Commission. So, anywhere there's a weed shop in Jersey run by the Government, stay away. Only the Government can break the Federal law, being the largest drug dealer in the state. But you better not have your gun there because then you would be in trouble. So, watch out for any kind of cannabis retailer or dispensary. You cannot have your firearm at a privately or publicly owned and operated entertainment facility within this State, including but not limited to a theater, stadium, museum, arena, a racetrack or other place where performances, concerts, exhibits, games or contests are held. Again, this was one that we had knocked out but then temporarily put back. Now we're fighting it in the Appellate Court. But, folks, don't carry your gun there.

Evan Nappen 30:19

And just think of how obnoxious this is. When you had mass shooters hitting movie theaters, where they purposely picked theaters where it said, "No Guns Allowed", so they would have their soft target victims disarmed. New Jersey wants to prohibit us from defending ourselves in these places, creating all these vulnerable places to be hit. Why do they do that? I mean, look, do you think terrorists are going to attack and where they might want to attack? Well, Murphy's giving them the list. The sensitive places, folks, that's the places to hit. Because we don't allow guns there and people are helpless. And that's who they want to kill, the helpless. Think about it.

Evan Nappen 31:08

People say, hey, you have these weapons and such, are you like violent? I say, no. I'm very peaceful. I'm a peaceful person, absolutely peaceful. The only time I would use violence if it's necessary to defend myself or my loved ones, but I'm a peaceful person. But you see, if you have no guns, you're not a peaceful person. You're a helpless person. Helpless. I don't want to be helpless. But I do want to be peaceful. But these laws make us helpless. We're fighting so that we don't have to be helpless anymore. Jersey wants to keep you helpless. But, as we fight for our rights, we want you to be

peaceful, but not helpless. Beware, though. I also don't want you to become a law-abiding criminal and be subjected to New Jersey disenfranchising you of your gun rights and incarcerating you for exorbitant and ridiculous, draconian sentences that Jersey likes to do.

Evan Nappen 32:18

You cannot have your gun in a casino and related facilities, including but not limited to appurtenant hotels, retail premises, restaurant and bar facilities, and entertainment and recreational venues located within casino property. This would, of course, include the marinas owned by casinos and other places owned by casinos. Beware. No guns at casinos. Even without this law, the casinos themselves have gotten together in Atlantic City and said no guns. I am boycotting Atlantic City casinos. They're just so anti-gun. They can go to hell, as far as I'm concerned. Not dealing with that. At the moment, the law prohibits that even though we had gotten that one knocked out. Temporarily, it's been put back in place. But we'll see.

Evan Nappen 33:14

You cannot have your firearm at a plant or operation that produces, converts, distributes or stores energy or converts one form of energy to another. What are they even talking about? Like what? You can't stand by a solar panel? I don't know. But can't have it in those places. You can't pump gas with your gun? I mean, what? I don't know. It's pretty vague and stupid. But beware. I guess we're talking about a power plant itself. Maybe that makes sense. I don't know. If they're nuke plants, sure. You don't want to do that. But, hey, it's a prohibited place. Beware. You can't have it at an airport or public transportation hub, airport or public transportation hub.

Evan Nappen 34:06

Now, the next set is a whole bunch of health and medical-related places. Some of them will be something that will be of major concern to all of us because of how frequently we must visit these various places. They include a health care facility, including but not limited to a general hospital, special hospital, psychiatric hospital, public health center, diagnostic center, treatment center, rehabilitation center, extended care facility, skilled nursing home, nursing home. What's that? An unskilled nursing home? I don't know. Intermediate care facility, tuberculosis hospital, chronic disease hospital, maternity hospital, outpatient clinic, dispensary assisted living center, home health care agency, residential treatment facility, residential health care facility, medical office, or ambulatory care facility. Oh, boy, look at that list.

Evan Nappen 35:12

Well, some important notes in this list. A medical office. Don't go to your doctor with your gun. Don't go there. Ambulatory Care Facility. Don't go there with your gun. Dispensary. Wait a minute. Isn't that a drugstore? Beware of the pharmacy portion of the drugstore, if that's going to be considered a dispensary. And, of course, every conceivable hospital they could think of is on the list. Yet, here's an interesting example. Once I was presenting this, and a doctor said, look, I can't have a gun in my own medical office? It makes medical offices a sensitive place. Well, since it was the doctor's own medical office, he could have his gun there. Because remember what I said at the beginning, the 39-6 exemptions still apply, regardless of whether it's a sensitive place. One of those exemptions is possession in one's place of business. So, if the doctor owns the office, then the doctor can have his

gun and carry it in his medical office. Of course, we can't carry there. It's not our medical office. But you can see how the importance of the 39-6 exemption can still come into play here. You cannot have your handgun at a facility licensed or regulated by the Department of Human Services, Department of Children and Families, or Department of Health, other than a health care facility, that provides addiction or mental health treatment or support services.

Evan Nappen 36:55

Now, there's this little tricky one that I want to explain, and it's the private property prohibition. What New Jersey had and where we are at this moment, I want to be very careful so that you understand this. You cannot have your firearm on private property, including but not limited to residential, commercial, industrial, agricultural, institutional or undeveloped property, unless the owner has provided express consent or has posted a sign indicating that it is permissible to carry on the premises. You know, the "we love guns" sign they put up there.

Evan Nappen 37:37

Now, how does this actually work? First of all, subsection e. of the 39-6 exemptions, your home, possession in your home, that's exempted from this sensitive place prohibition. But the other thing that happened is the court, in determining the private property prohibition, basically, established this as follows. Only property that is held open to the public. So, if the property is held open to the public, that prohibition is blocked by the court. In other words, if the property is open to the public, you can carry there. You can carry there. Private property that's not open to the public is prohibited unless you have express permission. So, let's give an example. Let's say you want to go to your friend's house. Well, your friend has to either say you can bring your gun, or your friend has to have a "we love guns" sign outside. So, you know that you have express permission.

Evan Nappen 38:53

But what if you want to go to a private store? It's a convenience store. It's open to the public, but it's not owned by the Government. It's owned by, you know, Wawa, 7-11, whatever. It's still private property, and it's owned by an entity. Can you take your gun there? Yes. Why? Because it's open to the public. So, property that's private but open to the public, you can carry there. If it's not open to the public, you need permission, either expressed or by way of a sign. That's how the public property sensitive place works.

Evan Nappen 39:40

You cannot carry your gun in any other place in which the carrying of a firearm is prohibited by statute or rule or regulation promulgated by a federal or State agency. Good thing they threw in that general purpose, weasel clause, to include everything under the sun that was ever promulgated by a State or federal agency. How the hell are we supposed to know that? But there it is. Make sure you know every single rule, reg, and statute ever promulgated by any agency over guns so you can stay in conformance with that last provision.

Evan Nappen 40:17

Let me also talk to you about transporting in a vehicle. New Jersey did prohibit transporting your handgun in a vehicle. Even though you had a carry permit, you still couldn't have it loaded and

concealed on your person. We call that law the "Carjacker Protection Bill". That has been blocked by the court, and it is still blocked by the court. You can carry your gun in your vehicle concealed on your person, loaded, and protect yourself in your vehicle and the occupants of your family. Your vehicle is not a prohibited place. You're allowed to do it. So, that one is still enjoined by the courts.

Evan Nappen 41:04

Now you cannot leave your handgun outside of your immediate possession or control within a parked vehicle. It has to be unloaded and contained in a closed and securely fastened case not visible from the outside. The same as if you're going to end up in a prohibited place. If you're in the parking area, you are allowed to put the handgun unloaded and contained in a closed and securely fastened case, gun box, unloaded in the trunk or storage area of the vehicle. You can store it in a lockbox out of plain view. Listen, the simple best way to handle all those situations is this. You've gone through all this to get your carry license, and you've gone through the training of the gun. Get the car gun safe. They're less than 50 bucks. They have a cable that wraps around the base of the seat. Secure your handgun, unloaded, in the locking car gun safe. It's now unloaded. Slide the little box under the seat after you've secured it locked in its container. That's what responsible gun owners do. You don't want your gun stolen. You want to make sure that you're within the law. Come on, let's just do the right thing here and secure your handgun in this manner. Not just in a closed and fastened case out of view but use the car gun safe. Really protect your gun, protect your gun rights, be responsible here. That's my strong suggestion to do that.

Evan Nappen 42:59

This is what New Jersey has brought upon us in their hissy fit after the Bruen decision. We're currently battling it. As I said, it's an ongoing fight. These are exciting times, and I know we will win. I want to mention to you about what I'm calling the "Gun Owner Fuckup of the Week". This week, I want to point this out. What I'm going to tell you here is based on real cases, real people that have had these actual problems and not just once. When I start seeing this happen, I'm like scratching my head. So, here's this week's tip. When you're filling out a gun application and it asks for references, make sure you clear it with the references before you put their names down. It's amazing how many people just put references down, never asking them if they'd be willing to be a reference on a gun application. Never asked them if they have issues about being a reference for the gun, or if they'd have any problem in saying that you're fine to have a gun. Make sure your references are on board, and they are in support of you. Because if you fail to do that, then you may get denied for your references. It just astounds me that people call me because they didn't do that. So, don't make that mistake. Make sure your references are solid. They know that they're going to be contacted and that they support your application for a firearm. This is Evan Nappen reminding you that gun laws do not protect honest citizens from criminals. They protect criminals from honest citizens.

Speaker 3 45:21

Gun Lawyer is a CounterThink Media production. The music used in this broadcast was managed by Cosmo Music, New York, New York. Reach us by emailing Evan@gun.lawyer. The information and opinions in this broadcast do not constitute legal advice. Consult a licensed attorney in your state.