



Concealed Weapons Permit

Office of Attorney General, Bureau of Criminal Investigation
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All weapons are potentially dangerous, but a hidden gun, knife, or martial arts device can be especially hazardous. In receiving a permit to carry a concealed weapon for lawful self-defense, you are undertaking a great responsibility. If you find it necessary to use your weapon, you will be protected *only* if you acted within the law. Therefore, you should also arm yourself with the most indispensable weapon of all — *knowledge*.

The Permit

There are two classes of Concealed Weapons permit:

- **Class 1**, for ages 21 and older, requires applicant to attend classroom instruction, demonstrate familiarity with the weapon, and successfully complete both an open book test (based upon the Concealed Weapons Manual) and a proficiency test;
- **Class 2**, for ages 18 and older, requires applicant to successfully complete only the open book test. Existing permits converted to a Class 2 on August 1, 2009.

The Application Process

The Bureau of Criminal Investigation (BCI) is responsible for receiving and processing applications and issuing concealed weapon permits. Application forms can be obtained from the local police department, sheriff's office, or by contacting the BCI.

1. The applicant first must successfully complete the appropriate testing for the type of permit. Only test administrators certified by the Attorney General may conduct testing. All classroom instruction and testing must be held within the State of North Dakota. A list of certified test administrators is available from the Attorney General's website at www.ag.nd.gov on the BCI Concealed Weapons Permit page, or by contacting your local law enforcement agency. The maximum fee a test administrator may charge is \$50.
2. Once testing is completed, the application must be approved by the Sheriff in the county in which applicant resides. If the applicant lives in a city with a police department, the application also must be approved by the Police Chief.
3. The completed application, two color photos (size 1" x 1¼") and a check for \$45 made payable to "ND Office of Attorney General" should be submitted to the law enforcement agency with the application. The agency will obtain fingerprints (for which there may be a separate fee), conduct a local background check, and determine if the applicant qualifies for a permit. The approved application is then forwarded to BCI.
4. BCI performs state and national background checks and processes the fingerprints through the regional Automated Fingerprint Identification System (AFIS). If the application process is successfully completed, BCI will issue a permit.

Denial

A permit application may be denied if the applicant is prohibited by state or federal law from owning, possessing, or having a firearm under that person's control; if there is a material misstatement in the application process; if applicant fails to disclose information on the application or provide a release of records; or for other good and valid reasons.

“Weapon”

Under state and federal law, “weapons” fall into one of two categories: firearms and dangerous weapons.

- “Dangerous weapons” include any knife with a blade of five inches or more, martial arts weapons, slingshots, bow and arrows, billy clubs, metal knuckles, stun guns, air rifles, BB guns, and other such items (N.D.C.C. §62.1-01-01(1)).
- A firearm or dangerous weapon is considered “concealed” if it is carried in such a way that it cannot be recognized by the “ordinary observation” of a passerby — this includes wearing it under clothing (N.D.C.C. §62.1-04-01). A weapon also is concealed if it is in a vehicle glove compartment, under a seat, or otherwise within reach of the driver or any passengers.

Reciprocity

North Dakota has reciprocity with other states, which means that a ND concealed weapon permit is valid while in those states and permits from those states are recognized as valid in ND. A Class 1 permit is accepted for reciprocity in more states than the Class 2 permit. Reciprocity with some states is conditional—i.e., *that* state imposes conditions which may prohibit reciprocity for certain ND CWP holders. BCI maintains an online listing of states with which ND has reciprocity, at www.ag.nd.gov on the BCI Concealed Weapons Permit page.

Prohibitions, Weapons

State law prohibits firearms and dangerous weapons (concealed or otherwise) in liquor establishments, gaming sites and at any public gathering, including: sporting events, schools or school functions, churches or church functions, political rallies or functions, musical concerts, publicly owned or operated buildings, and publicly owned parks where hunting is not allowed (N.D.C.C. §§62.1-02-04 and 62.1-02-05).

Prohibitions, Persons

Concealed weapon permits cannot be issued to anyone prohibited by state or federal law from owning, possessing, or having a firearm under that person's control (N.D.C.C. §62.1-04-03). Persons convicted of certain felony or class A misdemeanor crimes are barred from owning or possessing a firearm for up to 10 years after completing probation or the sentence, whichever is last (N.D.C.C. §62.1-02-01).

Firearms Purchase

A National Instant Check System (NICS) background check is completed during the application process and the NICS number printed on the permit. Therefore, the requirement for a NICS check for a firearm purchase may be waived at the discretion of the weapon dealer. The NICS number is not printed on a non-resident’s permit, so it cannot be used to purchase firearms.

The Permit

The permit must be carried at all times and produced when requested by law enforcement. Failure to produce the permit will be considered evidence that the concealed weapon is carried illegally (N.D.C.C. §62.1-04-04).

Expiration

Through June 30, 2011, permits expire after 3 years; from July 1, 2011, permits expire after 5 years. A reminder notice will be sent to the permit holder’s last known address. The permit holder must notify BCI of any address change.

Retired Law Enforcement Officers

Under federal law, a “qualified retired law enforcement officer” may carry a concealed firearm without a state-issued concealed weapons permit only if that individual meets all of the requirements. Additional information is available online from the BCI Concealed Weapons page.