An Ounce of Prevention: Traveler’s Guide to the Firearm Laws of the Fifty States

Book Review by Monte Dunn

There are more than a few books all gun owners should have as cornerstone volumes in their collection. They include the works of Massad Ayoob, John Lott, Dave Kopel, Don Kates and a few others. They may deal with self-defense, protection of fundamental rights, and the historical basis of both the Second Amendment and America’s gun culture. Some are a necessary part of the pro-gun, pro-self-defense, pro-hunting movement of which every gun owner should be a part. Traveler’s Guide to the Firearm Laws of the Fifty States by J. Scott Kappas, Esq., covers a topic that will help ensure your immediate freedom. This ounce of prevention may well prove to be worth more than an almost inestimable weight in cure.

Americans as a people have proven themselves travelers by nature. In our turbulent time more than ever we tend to travel by car. As gun people we often like to have a firearm at hand. In our trips, often from a gun-friendly jurisdiction to another place where the gun culture flourishes, we must often pass through places where the hostility to gun ownership is palpable. None of us wants to go to prison, face fines, have a favorite firearm confiscated or, worse, lose the very right to keep and bear arms, to vote and so on. Kappas’ book can help you stay on the right side of the law in your travels through the United States.

Kappas is an attorney, a pro-gun activist and a Class III firearms dealer. While he points out from the start that his book is not a substitute for the personal advice of an attorney, he gives you the information you will need while preparing for a trip to the places where you are most likely to run afoul of the law. While the Gun Owners Protection Act (known as Volcker-McClure when it was a Reagan-era bill which became law) generally allows the transport of firearms (locked and unloaded and other conditions as well) from a place where you may legally possess a certain gun to another such place, in some jurisdictions the law is only honored in the breach.

At the top of each page, one for each state (and the District of Columbia), we are shown a scale of 0 (total prohibition) to 100 (total freedom). Below that is a travelers checklist which covers handgun ownership, rifle and shotgun ownership, “assault weapon” ownership (the Clinton definition), machinegun ownership, firearm law uniformity (i.e., can individual cities or counties have laws which do not conform to state law), open carry, concealed carry, as well as vehicle carry and transportation. Below that is an explanatory text. We learn that while in one place a gun need only have an empty chamber to be legally “unloaded,” one state over, even if the chamber is empty, a loaded magazine in the firearm makes it “loaded.”

Likewise we may also find that while a loaded handgun on your front seat is absolutely legal in jurisdiction “A,” if it’s under your seat or in the glove compartment in the same area, it is now “concealed” and a criminal act. Also, state “B” may recognize your home-state carry permit (even if your state doesn’t recognize theirs) while in state “C” any permit is worthless and in state “D” you must have an FFL to even possess a handgun! In state “E” you may have a long gun, but it must be unloaded and in a locked case in a locked trunk, yet down the road you can have it loaded in a visible gun rack.

After reading the 2005 Traveler’s Guide, you may decide to boycott some states or simply drive around them to get to where you’re going. Since the first Guide in 1996, much has changed. In addition, the language used in some state laws is so parsed as to make one actually wonder “what the meaning of the word ‘is’ is.” For this reason we are given the addresses and phone numbers of the various agencies (attorney general, state police) which handle such matters. If you make a call, write down the date, time and with whom you spoke. Mail is good also as you will, hopefully, have the reply in writing. And again, as Kappas points out, there is no substitute for professional legal advice. You can network through the NRA, your local gun club, etc., but no matter what, know before you go. Buy this book—it’s a gold mine of good advice.