

WHAT IF I LEAVE A FIREARM IN MY VEHICLE (REGARDLESS OF LOCATION) AND SOMEONE WITHOUT A FOID CARD IS DRIVING THE VEHICLE AND IS STOPPED BY POLICE AND THE FIREARM IS FOUND?

The law states a person must “knowingly” violate the law. The assumption in the question is that the driver was unaware of a firearm’s presence. However, at a traffic stop, you should expect the officer to handle the situation at face value, take enforcement action accordingly, and let the court settle the matter. *Don’t put someone in that position.*

HOW CAN I LEGALLY TRANSPORT OR POSSESS AMMUNITION?

Illinois law requires residents possessing ammunition have a valid FOID card. The location of ammunition being transported, including ammunition being transported in loaded magazines, is not regulated if the firearm is possessed or transported lawfully.

IS IT LEGAL TO HAVE AMMUNITION IN THE CASE WITH THE FIREARM?

Yes, as long as the firearm is unloaded and properly enclosed in a case.

CAN I KEEP A FIREARM IN MY HOTEL ROOM WHEN I TRAVEL?

Yes, assuming no local ordinance applies. The critical question is how the firearm was carried into the room and transported in a vehicle. Those actions must be done lawfully.

I HAVE A FRIEND/RELATIVE WHO HAS A “CONCEAL AND CARRY” PERMIT ISSUED IN THE STATE IN WHICH THEY RESIDE. IS THE PERMIT RECOGNIZED IN ILLINOIS?

No. Illinois does not recognize “conceal and carry” permits from any state. Non-residents are subject to Illinois’ law, restrictions, and penalties, and should be familiar with them if the non-resident plans to bring a firearm into the state of Illinois.

DO I NEED A VALID FOID CARD FOR A MUZZLELOADER OR BLACKPOWDER GUN?

Yes. In Illinois, muzzleloaders and blackpowder guns are considered firearms.

WHAT CONSTITUTES “UNLOADED” FOR A MUZZLELOADING FIREARM?

17 Ill. Admin. Code, Ch. 1, Sec. 660.30 (b)(5) provides a definition for an unloaded muzzleloading firearm as follows:

“Removal of percussion cap or removal of prime powder from frizzen pan with frizzen pan open and hammer all the way down, or removal of prime powder from flashpan and wheel unwound, or removal of prime powder and match with match not lit shall constitute an unloaded muzzleloading firearm.”

FOR MORE INFORMATION, CONTACT:

Illinois State Police at 217/524-2525
Firearms Services Bureau at 217/782-7980
<http://www.isp.state.il.us>
Illinois Department of Natural Resources
217/782-6431
<http://www.dnr.state.il.us>



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State of Illinois
Illinois State Police

Transport Your Firearm Legally

Commonly Asked Questions On Transporting Firearms in Illinois



Illinois State Police

An Illinois resident who acquires or possesses firearms or firearm ammunition within the state must have in their possession a valid Firearm Owner's Identification (FOID) card issued in their name.

Answers provided to the following questions are meant only to give general guidance regarding transporting firearms and ammunition. The answers do not and are not meant to replace statutory language.

WHERE CAN I OBTAIN A FOID APPLICATION?

A FOID application can be downloaded from the Illinois State Police web site at www.isp.state.il.us or may be obtained at most retail stores where firearms are sold.

HOW CAN I LEGALLY TRANSPORT A FIREARM ON MY PERSON OR IN MY SPORTS UTILITY VEHICLE (SUV), PICKUP TRUCK, VAN, STATION WAGON, OR EVEN A MOTORCYCLE?

Three statutory codes regulate the possession, transfer, and transportation of firearms - the Criminal Code, the Wildlife Code, and the Firearm Owner's Identification Act.

In order to comply with those statutes when transporting a firearm, it must be:

- 1. Unloaded, and**
- 2. Enclosed in a case, and**
- 3. By persons who have a valid FOID card.**
- 4. Non-Residents must be eligible to possess or acquire firearms and ammunition in their state of residence.**

DOES A FIREARM HAVE TO BE BROKEN DOWN TO BE LEGAL?

No. However, it is recommended that to transport a firearm, it be unloaded and encased and possessed by the holder of a valid FOID card.

WHAT IS BROKEN DOWN IN A NON-FUNCTIONING STATE?

The firearm is disassembled, making it inoperable, e.g., slide or barrel removed.

WHAT CONSTITUTES A LEGAL "CASE" FOR TRANSPORTING A FIREARM?

The Criminal Code refers to "a case, firearm carrying box, shipping box, or other container." However, the Wildlife Code is more specific, defining case as "a container specifically designed for the purpose of housing a gun or bow and arrow device which completely encloses such gun or bow and arrow device by being zipped, snapped, buckled, tied, or otherwise fastened, with no portion of the gun or bow and arrow device exposed."

HOW DO THE DIFFERENCES IN LAWS AFFECT ME FOR THE PURPOSES OF THE UNLAWFUL USE OF WEAPONS LAW?

It is recommended that persons transport their firearms only unloaded and in a case in order to be fully compliant with all statutes. A firearm transported in a container other than a case, while engaged in activities covered by the Wildlife Code, could subject an individual to a charge of Class B Misdemeanor under the Wildlife Code, but would not be considered Unlawful Use of Weapons if the case were a "firearm carrying box, shipping box, or other container" as provided in the Criminal Code.

IF I FAIL TO ZIP UP THE CASE ENTIRELY, WILL I BE GUILTY OF A FELONY?

No, as long as the firearm is unloaded, and none of the aggravating factors of the Unlawful Use of Weapons law are present. However, to fully comply with the law, firearm cases must be completely zipped or otherwise completely fastened shut.

IF A NON-RESIDENT IS COMING TO ILLINOIS TO HUNT AND WOULD LIKE TO BRING THEIR FIREARM, HOW DO THEY LEGALLY TRANSPORT IT?

Non-residents must be legally eligible to possess or acquire firearms and ammunition in their state of residence. It is recommended that in order to be in compliance with all statutes, non-residents transport all firearms:

1. Unloaded, and
2. Enclosed in a case, and
3. Not immediately accessible or broken down in a nonfunctioning state.

HOW DO I TRANSPORT A FIREARM THROUGH AN ILLINOIS COMMUNITY WITH AN ORDINANCE THAT PROHIBITS FIREARMS OR HANDGUNS?

Illinois' Unlawful Use of Weapons law does not preempt local ordinances from banning firearms. Persons carrying or transporting firearms through such communities could be subject to local firearm ordinances. It is recommended that you contact local authorities regarding their firearm ordinances.

