



Utah

Summary of State Firearms Law

Last updated April 17, 2012

Overview

In its publication [*Gun Laws Matter: A Comparison of State Firearms Laws and Statistics*](#), LCAV ranked each state based on a review of state laws in 25 different firearm-related policy areas. Utah ranked 33rd out of 50 – having enacted few gun violence prevention laws. Among other things, Utah acts as a “point of contact state,” meaning that it conducts its own [background checks](#) on individuals purchasing firearms from licensed dealers.

Utah law does **not**, however:

- Require a background check prior to [the transfer of a firearm between unlicensed individuals](#);
- Require firearms dealers to obtain a [state license](#);
- Regulate the transfer or possession of [assault weapons](#), [50 caliber rifles](#), or [large capacity ammunition magazines](#);
- Require gun owners to [obtain a license](#), [register their firearms](#), or [report lost or stolen firearms](#);
- Require the [reporting of mentally ill individuals](#) to the database used for firearm purchaser background checks;
- Limit the [number of firearms](#) that may be purchased at one time;
- Impose a [waiting period](#) prior to purchase of a firearm;
- Regulate unsafe handguns (“[junk guns](#)” or “[Saturday night specials](#)”);
- Significantly [regulate ammunition](#);
- Afford local law enforcement significant discretion to deny a [concealed carry license](#); or
- Allow [local governments to regulate](#) firearms.

Utah Statistics

Gun Deaths in Utah

In 2009, Utah had the 21st lowest number of gun deaths per capita among the states. However, even this relatively low ranking means that 260 people died from firearm-related injuries in Utah in that year.¹

Crime Guns in Utah

Mayors Against Illegal Guns recently developed web pages detailing [data about each state's crime gun imports and exports](#). Compared with other states, in 2009, [Utah](#) had the sixth highest ratio of crime gun exports to imports. Utah exports crime guns at a rate that is more than three times the rate at which it imports such guns.²

Number of Federally Licensed Firearms Dealers in Utah

There are 634 federally licensed firearms dealers and pawnbrokers in Utah.³

¹ National Center for Injury Prevention and Control, U.S. Centers for Disease Control and Prevention, *WISQARS Fatal Injury Reports, 1999-2009, for National, Regional, and States (RESTRICTED)*, at http://webappa.cdc.gov/sasweb/ncipc/dataRestriction_inj.html. (Jan. 2012).

² For a more comprehensive discussion regarding the patterns of gun trafficking across the states, see Mayors Against Illegal Guns, *Trace the Guns: The Link Between Gun Laws and Interstate Gun Trafficking* (Sept. 2010), at <http://www.tracetheguns.org/report.pdf>.

³ U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, *List of Federal Firearms Licensees* (Feb. 2012), at <http://www.atf.gov/about/foia/ffl-list.html>.

Utah “Right to Bear Arms”

The Utah Constitution provides for the keeping and bearing of arms, but permits firearm-related regulation for public health and safety purposes. See [LCAV’s State Right to Bear Arms Provisions](#) for more-detailed information.

Local Authority to Regulate Firearms in Utah

Utah has preempted most areas of local firearms regulation. See the [State Preemption/Local Authority to Regulate Firearms summary](#) for further information.

State Firearms Policies

Please note that many firearm-related laws have exceptions for military and law enforcement personnel.

To view the sections of the Utah Statutes provided in the summary below, search for the citation using the [Utah Code Annotated](#).

Persons Prohibited from Firearm Possession

Utah Prohibited Purchasers Generally

[Federal law prohibits certain persons from purchasing or possessing firearms](#), such as felons, certain domestic abusers, and certain people with a history of mental illness.

Utah law provides that, subject to certain limited exceptions, no person shall possess a firearm if he or she:

- Is a Category I restricted person, meaning a person who:
 - Has been convicted of any violent felony;⁴
 - Is on probation or parole for any felony;
 - Is on parole from a “secure facility”;⁵ or
 - Within the last 10 years has been adjudicated delinquent for an offense which if committed by an adult would have been a violent felony; or
 - Is an alien who is illegally or unlawfully in the U.S.;
- Is a Category II restricted person, meaning a person who:
 - Has been convicted for any felony;
 - Within the last seven years has been adjudicated delinquent for an offense which if committed by an adult would have been a felony;
 - Is an unlawful user of a controlled substance;⁶
 - Is in possession of a dangerous weapon and is knowingly and intentionally in unlawful possession of a Schedule I or II controlled substance;
 - Has been found not guilty by reason of insanity of, or has been found mentally incompetent to stand trial for, a felony offense;

⁴ “Violent felony” is defined in Utah Code Ann. §76-3-203.5.

⁵ “Secure facility” is defined in Utah Code Ann. § 62A-7-101.

⁶ “Controlled substance” is defined in Utah Code Ann. § 58-37-2.

- Has been adjudicated mentally defective as provided in the Brady Handgun Violence Prevention Act, codified at 18 U.S.C. § 921 *et seq.* or has been committed to a mental institution;
- Has been dishonorably discharged from the armed forces; or
- Has renounced one's citizenship after having been a citizen of the U.S.⁷

[In 2012, Utah repealed its prohibition](#) against firearm possession by a person currently under indictment for a felony.

A Category I restricted person who intentionally or knowingly agrees, consents, offers, or arranges to purchase, transfer, possess, use, or have under one's custody or control, or who intentionally or knowingly purchases, transfers, possesses, uses, or has under one's custody or control any firearm is criminally liable for a second degree felony.⁸ A Category II restricted person who purchases, transfers, possesses, uses, or has under one's custody or control any firearm is criminally liable for a third degree felony.⁹ A person may be subject to the restrictions of both categories at the same time.¹⁰

If a finding is made that the subject of a child protective order or an *ex parte* child protective order may pose a serious threat of harm to the minor, the order may prohibit the subject from purchasing, using or possessing a firearm.¹¹

For information about the background check process used to enforce these prohibitions, see the [Utah Background Checks](#) section.

See [Regulating Guns in America: Prohibited Purchasers](#) for a comprehensive discussion of this issue.

⁷ Utah Code Ann. § 76-10-503(1).

⁸ Utah Code Ann. § 76-10-503(2).

⁹ Utah Code Ann. § 76-10-503(3).

¹⁰ Utah Code Ann. § 76-10-503(4).

¹¹ Utah Code Ann. § 78B-7-204(1)(d).

Utah Minimum Age to Purchase / Possess

Utah law provides that no person under age 18 may possess a handgun, sawed-off rifle, sawed-off shotgun, or fully automatic weapon.¹² The state further prohibits any person under 18 years of age from possessing any other firearm (*i.e.*, a rifle or shotgun) unless he or she:

- Has the permission of one's parent or guardian to have the weapon; or
- Is accompanied by a parent or guardian while in possession of the gun.¹³

Exceptions regarding possession of handguns by minors include any person:

- Firing at lawfully operated target concessions at amusement parks, piers, and similar locations provided the firearms to be used are firmly chained or affixed to the counters;
- In attendance at a hunter's safety course or a firearms safety course;
- Engaging in practice or any other lawful use of a firearm at an established range or any other area where the discharge of a firearm is not prohibited by state or local law;
- Engaging in an organized competition involving the use of a firearm, or participating in or practicing for such competition;
- Under age 18 who is on real property with the permission of the owner, licensee, or lessee of the property and who has the permission of a parent or legal guardian or the owner, licensee, or lessee to possess a firearm not otherwise in violation of law;
- Who is a resident or nonresident hunter with a valid hunting license or other person who is lawfully engaged in hunting; or
- Traveling to or from any activity described above with an unloaded firearm in one's possession (except the provision related to target concessions where the firearms must be firmly chained or affixed to the counters).¹⁴

Any person under 14 years of age in possession of a dangerous weapon shall be accompanied by a responsible adult.¹⁵ A "dangerous weapon" is "any item that in the manner of its use or intended use is capable of causing death or serious bodily injury."¹⁶

An applicant for a concealed firearms permit must be 21 years of age or older.¹⁷

¹² Utah Code Ann. § 76-10-509.4.

¹³ Utah Code Ann. § 76-10-509.

¹⁴ Utah Code Ann. § 76-10-512.

¹⁵ Utah Code Ann. § 76-10-509(2).

¹⁶ Utah Code Ann. § 76-10-501(5)(a).

¹⁷ Utah Code Ann. § 53-5-704(1).

Utah prohibits any person from selling handguns or long guns to a person under age 18 unless the person is accompanied by a parent or guardian.¹⁸

See [Regulating Guns in America: Minimum Age to Purchase / Possess Firearms](#) for a comprehensive discussion of this issue.

¹⁸ Utah Code Ann. § 76-10-509.9.

Domestic Violence and Firearms in Utah

(This section was last updated April 1, 2011.)

Utah law does **not**:

- Prohibit individuals convicted of domestic violence misdemeanors from purchasing or possessing firearms or ammunition, unlike [federal law](#);
- Require courts to notify domestic abusers when they become prohibited from possessing firearms or ammunition under [federal law](#); or
- Require the surrender of firearms or ammunition by domestic abusers who have become prohibited from possessing firearms or ammunition under [federal law](#).

Firearm Prohibitions for Persons Subject to Domestic Violence Protective Orders

When a petition for an order of protection is filed, the court may prohibit the respondent from purchasing, using, or possessing a firearm upon a finding that the respondent's use or possession of a weapon may pose a serious threat of harm to the petitioner.¹⁹ The court may make such an order *ex parte* (without notice to the respondent).²⁰ A petition for such an order may be brought by any emancipated person or person 16 years of age or older who:

- Is or was a spouse of the other party;
- Is or was living as if a spouse of the other party;
- Is related by blood or marriage to the other party;
- Has one or more children in common with the other party;
- Is the biological parent of the other party's unborn child; or
- Resides or has resided in the same residence as the other party.²¹

However, a petition for such an order may not be brought if one party is the natural parent, adoptive parent, or step-parent of the other, who is a minor, or if both parties are natural, adoptive, step, or foster siblings who are under 18 years of age.²²

If a finding is made that the subject of a child protective order or an *ex parte* child protective order may pose a serious threat of harm to the minor, the order may prohibit the subject from purchasing, using or possessing a firearm.²³

¹⁹ Utah Code Ann. §§ 78B-7-106(2)(d), 78B-7-107(2).

²⁰ *Id.*

²¹ Utah Code Ann. §§ 77-36-1(4), 78B-7-102(2), (5), 78B-7-106, and 78B-7-107(2).

²² Utah Code Ann. § 78B-7-102(3).

Every magistrate or court clerk responsible for court records shall, within 30 days of a disposition, furnish the Criminal Investigations and Technical Services Division within the Department of Public Safety, with information pertaining to a protective order issued after notice and a hearing.²⁴

For general information on the background check process and categories of prohibited purchasers/possessors, see the [Utah Background Checks](#) section.

Removal or Surrender of Firearms at the Scene of a Domestic Violence Incident

Utah requires a law enforcement officer who responds to an allegation of domestic violence to confiscate the weapon or weapons involved in the alleged domestic violence incident.²⁵

See [Regulating Guns in America: Domestic Violence and Firearms](#) for a comprehensive discussion of this issue.

²³ Utah Code Ann. § 78B-7-204(1)(d).

²⁴ Utah Code Ann. § 53-10-208.1(4).

²⁵ Utah Code Ann. § 77-36-2.1(1)(b).

Disarming Prohibited Persons in Utah

Utah requires a law enforcement officer who responds to an allegation of domestic violence to confiscate the weapon or weapons involved in an incident of domestic violence.²⁶ See the [Utah Domestic Violence & Firearms](#) section for further information.

Utah does not have any other laws mandating the surrender or removal of firearms from [persons who have become ineligible to possess them](#).

[In 2012, Utah created an affirmative defense](#) to the charge of transfer of a firearm by a prohibited person that the person transferred the firearm within 10 days of becoming a prohibited person.²⁷

²⁶ Utah Code Ann. § 77-36-2.1(1)(b).

²⁷ Utah Code Ann. § 76-10-503(7).

Sales & Transfers

Utah Background Checks

See [Regulating Guns in America: Background Checks](#) for a comprehensive discussion of this issue.

[Federal law requires federally licensed firearms dealers \(but not private sellers\) to initiate a background check on the purchaser prior to sale of a firearm.](#) Federal law provides states with the option of serving as a state “point of contact” and conducting their own background checks using state, as well as federal, records and databases, or having the checks performed by the FBI using only the federal [National Instant Criminal Background Check System \(“NICS”\) database.](#) (Note that state files are not always included in the federal database.)

Utah is a point of contact state for NICS.²⁸ Utah law provides that, before transferring a firearm, all firearm dealers in Utah must contact the Criminal Investigations and Technical Services Division of the Department of Public Safety (more commonly known as the Bureau of Criminal Identification, or BCI), which conducts the background check referenced above.²⁹

The dealer must require an individual receiving a firearm to present one form of government-issued photo identification. The individual must consent in writing to the background check and provide personal information on a form provided by BCI. The dealer must then contact BCI by telephone or electronic means.³⁰ BCI is required to review criminal history files, including juvenile court records, to determine if the individual is prohibited from purchasing or possessing a firearm by state or federal law, prior to approving a firearm transfer.³¹ The dealer may not transfer the firearm until receiving approval from BCI.³²

Federal law does not require dealers to conduct a background check if a firearm purchaser presents a state permit to purchase or possess firearms that meets certain conditions. As a result, Utah concealed handgun license holders are exempt from the federal background check requirement when purchasing a firearm.³³ Utah law also exempts concealed handgun license holders from the state provision requiring a background check.³⁴ (Note, however, that people who have become prohibited from possessing firearms may continue to hold state firearms licenses if the state fails to remove these licenses in a timely fashion.)

Firearms transfers by private sellers (sellers who are not licensed as firearms dealers) are not subject to background checks in Utah. See [Regulating Guns in America: Private Sales.](#)

²⁸ Federal Bureau of Investigation, *National Instant Criminal Background Check System Participation Map*, at <http://www.fbi.gov/about-us/cjis/nics/general-information/participation-map> (last visited April 10, 2012).

²⁹ See Utah Code Ann. § 76-10-526.

³⁰ Utah Code Ann. § 76-10-526.

³¹ Utah Code Ann. § 76-10-526.

³² Utah Code Ann. § 76-10-526.

³³ Bureau of Alcohol, Tobacco, Firearms & Explosives, U.S. Department of Justice, *Brady Law: Permanent Brady Permit Chart* (Aug. 26, 2011), at: <http://www.atf.gov/firearms/brady-law/permit-chart.html>.

³⁴ Utah Code Ann. § 76-10-526(13).

Utah Mental Health Reporting

Federal law prohibits any person from selling or otherwise transferring a firearm or ammunition to any person who has been “adjudicated as a mental defective” or “committed to any mental institution.”³⁵ No federal law requires states to report the identities of these individuals to the [National Instant Criminal Background Check System \(NICS\) database](#), which the FBI uses to perform background checks prior to firearm transfers.

There is no law in Utah requiring the reporting of mental health information to NICS.

Every magistrate or court clerk responsible for court records shall, within 30 days of a disposition, furnish the Criminal Investigations and Technical Services Division within the Department of Public Safety with certain records, including information pertaining to any:

- Judgment of not guilty by reason of insanity, or finding of mental incompetence to stand trial for a felony or a violation of Utah Code Ann. Title 76, Chapter 5 (Offenses Against the Person) or Chapter 10, Part 5 (Weapons);
- Judgment of guilty but mentally ill; and
- Order of civil commitment of the mentally ill.³⁶

For general information on the background check process and categories of prohibited purchasers/possessors, see the [Utah Background Checks](#) and [Prohibited Purchasers Generally](#) sections.

See [Regulating Guns in America: Mental Health Reporting](#) for a comprehensive discussion of this issue.

³⁵ [18 U.S.C. § 922\(d\)\(4\)](#).

³⁶ Utah Code Ann. § 53-10-208.1; see also Utah Code Ann. § 62A-15-631 (regarding involuntary civil commitments).

Multiple Purchases / Sales of Firearms in Utah

Utah has no law limiting the number of firearms that may be purchased.

See [Regulating Guns in America: Restrictions on Multiple Purchases or Sales of Firearms](#) for a comprehensive discussion of this issue.

Retention of Sales / Background Check Records in Utah

Utah prohibits the Bureau of Criminal Identification (“BCI”) within the Department of Public Safety, which performs criminal history background checks before firearm transfers, from maintaining any records of a background check for longer than 20 days from the date of the dealer's request for the background check, if BCI determines that the individual receiving the firearm is not prohibited from purchasing, possessing, or transferring the firearm under state or federal law.³⁷ However, BCI is required to maintain a log of requests containing the dealer's federal firearms number, the transaction number, and the transaction date for a period of 12 months.³⁸

Utah does not have any laws requiring dealers to retain firearm sales records.

See [*Regulating Guns in America: Retention of Firearm Sales and Background Check Records*](#) for a comprehensive discussion of this issue.

³⁷ Utah Code Ann. § 76-10-526(8)(a).

³⁸ Utah Code Ann. § 76-10-526(8)(b).

Utah Waiting Periods

Utah has no law imposing a waiting period prior to the purchase of a firearm.

See [Regulating Guns in America: Waiting Periods](#) for a comprehensive discussion of this issue.

Gun Dealers & Other Sellers

Utah Dealer Regulations

[Federal law requires firearms dealers to obtain a license](#) from the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF), although resource limitations prevent the ATF from properly overseeing all its licensees.

Utah does not require firearms dealers to obtain a state license or otherwise significantly regulate firearms dealers. For laws:

- Applicable to both licensed and unlicensed sellers of firearms, see the [Utah Private Sales](#) section;
- Requiring firearms dealers to conduct a background check on the purchaser, see the [Utah Background Checks](#) section;
- Requiring dealers to record or report firearm sales to law enforcement, see the [Utah Retention of Sales / Background Checks Records](#) section.

See [Regulating Guns in America: Dealer Regulations](#) for a comprehensive discussion of this issue.

Private Sales in Utah

Private firearms transfers (*i.e.*, transfers by individuals not licensed as dealers) are not subject to a background check requirement in Utah.

[In 2012, Utah enacted a law](#) prohibiting transfer of a firearm to a person that the seller knows is prohibited under Utah law from possessing firearms.³⁹

See the [Firearms Trafficking in Utah](#) section for laws aimed at gun trafficking.

Utah prohibits the sale of any firearm to a person under age 18 unless he or she is accompanied by a parent or guardian.⁴⁰

See [Regulating Guns in America: Private Sales](#) for a comprehensive discussion of this issue.

³⁹ Utah Code Ann. § 76-10-503(8).

⁴⁰ Utah Code Ann. § 76-10-509.9.

Gun Shows in Utah

Utah does not regulate gun shows.

See the [Utah Private Sales](#) section for state laws that apply at gun shows.

See [Regulating Guns in America: Gun Shows](#) for a comprehensive discussion of this issue.

Utah Immunity Statutes

(This section was last updated April 1, 2011.)

A person who lawfully designs, manufactures, markets, advertises, transports, or sells firearms or ammunition to the public may not be sued by the state or any of its political subdivisions for the subsequent use, whether lawfully or unlawfully, of the firearm or ammunition, unless the suit is based on the breach of a contract or warranty for a firearm or ammunition purchased by the state or political subdivision.⁴¹

For detailed information about government and private party lawsuits against the gun industry, the status of litigation involving gun industry immunity statutes in various states, or pending gun industry immunity legislation, visit the [Brady Center's Legal Action Project](#) and the [Coalition to Stop Gun Violence's Gun Industry Immunity page](#).

See [LCAV's policy page on Immunity Statutes / Manufacturer Litigation](#) for further information.

⁴¹ Utah Code Ann. § 78B-4-511.

Gun Owner Responsibilities

Licensing of Gun Owners or Purchasers in Utah

Utah has no law requiring gun owners or purchasers to obtain a license.

See [Regulating Guns in America: Licensing of Gun Owners or Purchasers](#) for a comprehensive discussion of this issue.

Registration of Firearms in Utah

Utah does not require firearm owners to register their firearms.

Utah prohibits the Criminal Investigations and Technical Services Division of the Department of Public Safety, which performs criminal history background checks before all firearm transfers, from maintaining any records of a background check for longer than 20 days from the date of the dealer's request for the background check, if the Division determines that the individual receiving the firearm is not prohibited from purchasing, possessing, or transferring the firearm under state or federal law.⁴²

See [*Regulating Guns in America: Registration of Firearms*](#) for a comprehensive discussion of this issue.

⁴² Utah Code Ann. § 76-10-526(8)(a).

Reporting Lost or Stolen Firearms in Utah

Utah does not require firearm owners to report the loss or theft of a firearm.

See [*Regulating Guns in America: Reporting Lost or Stolen Firearms*](#) for a comprehensive discussion of this issue.

Firearms in Public Places

Utah Concealed Weapons Permitting

See [Regulating Guns in America: Carrying Concealed Weapons](#) for a comprehensive discussion of this issue.

Utah law generally prohibits carrying a concealed firearm, including an unloaded firearm on the person or one that is readily accessible for immediate use and is not securely encased, except in the person's residence, on his or her property, or in a business under the person's control.⁴³ Utah law also generally prohibits carrying a loaded firearm on a public street.⁴⁴ However, neither of these prohibitions apply if the state has issued to a person a permit to carry a concealed firearm.⁴⁵

Utah is a "shall issue" state, meaning that the Utah Department of Public Safety, Bureau of Criminal Identification ("BCI") must issue a concealed firearms permit if the applicant is 21 years of age or older, within 60 days, so long as the BCI establishes that the applicant:

- Has not been convicted of a felony;
- Has not been convicted of any crime of violence;⁴⁶
- Has not been convicted of any offense involving the use of alcohol;⁴⁷
- Has not been convicted of the unlawful use of narcotics or other controlled substances;⁴⁸
- Has not been convicted of any offense involving moral turpitude;⁴⁹
- Has not been convicted of any offense involving domestic violence;
- Has not been adjudicated as "mentally incompetent," unless the adjudication has been withdrawn or reversed; and
- Is qualified to purchase and possess a firearm pursuant state and federal law (see the [Utah Prohibited Purchasers Generally](#) section).⁵⁰

⁴³ Utah Code Ann. § 76-10-504.

⁴⁴ Utah Code Ann. § 76-10-505.

⁴⁵ Utah Code Ann. § 76-10-523.

⁴⁶ "Crime of Violence" is defined by Utah Admin. Code r. 722-300-3(2)(d) as a crime which has, as an element, the use, threatened use, or attempted use of physical force or a dangerous weapon.

⁴⁷ Offenses involving the use of alcohol are defined by Utah Admin. Code r. 722-300-3(2)(m) to include a list of specific offenses.

⁴⁸ Offenses involving the unlawful use of narcotics or other controlled substances are defined in Utah Admin. Code r. 722-300-3(2)(n).

⁴⁹ Offenses involving moral turpitude are defined by Utah Admin. Code r. 722-300-3(2)(l) to include any crime involving conduct which:

(i) is done knowingly contrary to justice, honesty, or good morals;

(ii) has an element of falsification or fraud; or

(iii) contains an element of harm or injury directed to another person or another's property.

In addition, the BCI may deny, suspend or revoke a permit if there is "reasonable cause" to believe that the applicant has been or is a danger to self or others as demonstrated by evidence including, but not limited to, and past pattern of behavior or past participation in incidents involving unlawful violence or threats of unlawful violence.⁵¹ A "past pattern of behavior" means verifiable incidents, with or without an arrest or conviction, that would lead a reasonable person to believe that an individual has a violent nature and would be a danger to oneself or others.⁵² In determining whether the applicant has been or is a danger to self or others, the BCI may inspect expunged adult and juvenile records.⁵³

[In 2012, Utah repealed a provision](#) requiring BCI to suspend a permit if the permit holder is charged with a crime of violence.

[A law enacted in Utah in 2011](#) requires a nonresident applicant for a Utah concealed weapon permit who resides in a state that recognizes the validity of the Utah permit or has reciprocity with Utah's concealed firearm permit to provide proof of his or her home state concealed weapon permit.⁵⁴

A person who has applied for a permit may also apply for a temporary permit to carry a concealed firearm, which may be issued for 90 days after preliminary record checks and a demonstration in writing of "extenuating circumstances" that would justify issuing a temporary permit.⁵⁵

In February of 2000, the BCI began checking arrest records on a daily basis against concealed firearms permit holders. As a result, permit revocations increased from 58 in 1998 and 75 in 1999, to 256 in 2000.⁵⁶ Most recently, in 2010, 523 permits were revoked.⁵⁷ As of March 31, 2008, there were 112,665 valid permits, up from 44,173 valid permits as of December 31, 2001.⁵⁸ As of March 31, 2011, there were 249,003 valid permits.⁵⁹

⁵⁰ Utah Code Ann. § 53-5-704(2). *See also* Utah Code Ann. § 76-10-503 (outlining individuals who are prohibited from purchasing and possessing firearms).

⁵¹ Utah Code Ann. § 53-5-704(3).

⁵² Utah Admin. Code r. 722-300-3(P).

⁵³ Utah Code Ann. § 53-5-704(3).

⁵⁴ Utah Code Ann. § 53-5-704(4).

⁵⁵ Utah Code Ann. § 53-5-705.

⁵⁶ [Utah Department of Public Safety, Bureau of Criminal Identification, Firearms Statistical Review \(4th Quarter 2005\)](#).

⁵⁷ [Utah Department of Public Safety, Bureau of Criminal Identification, Firearms Statistical Review \(1st Quarter 2011\)](#).

⁵⁸ [Utah Department of Public Safety, Bureau of Criminal Identification, Firearms Statistical Review \(4th Quarter 2001\)](#); [Utah Department of Public Safety, Bureau of Criminal Identification, Firearms Statistical Review \(1st Quarter 2008\)](#).

⁵⁹ [Utah Department of Public Safety, Bureau of Criminal Identification, Firearms Statistical Review \(1st Quarter 2011\)](#).

Firearm Safety Training

The BCI requires, with the application materials, evidence of familiarity with the types of firearms to be concealed.⁶⁰ General familiarity with the types of firearms to be concealed includes training in the safe loading, unloading, storage, and carrying of those firearms, as well as knowledge of current firearms laws.⁶¹ Evidence of this familiarity may be satisfied by:

- Completion of a course conducted by a national, state, or local firearms training organization approved by the BCI;
- Certification by a person certified by the BCI (who may be a law enforcement officer, military or civilian firearms instructor, or hunter safety instructor); or
- Equivalent experience with a firearm through participation in organized shooting competition, law enforcement, or military service.⁶²

Duration & Renewal

Once issued, Utah concealed firearms permits are valid for five years.⁶³

Disclosure or Use of Information

Utah does not allow personal application or permit information of concealed firearm permit holders to be made public. Records of permits must be maintained in the Bureau of Criminal Identification, which must immediately file a copy of each permit it issues.⁶⁴ However, the names, addresses, telephone numbers, dates of birth, and Social Security numbers of persons receiving permits are considered “records the disclosure of which would jeopardize the life or safety of an individual.”⁶⁵ As such, they are “protected records,” not available to the public for research purposes.⁶⁶

Additional rules pertaining to accessing concealed firearm permit records are available in the Utah Administrative Code.⁶⁷

Reciprocity

A permit to carry a concealed firearm that has been issued by another state (or a county within another state) is valid in Utah.⁶⁸

⁶⁰ Utah Code Ann. § 53-5-704.

⁶¹ Utah Code Ann. § 53-5-704.

⁶² Utah Code Ann. § 53-5-704.

⁶³ Utah Code Ann. § 53-5-704(1)(b).

⁶⁴ Utah Code Ann. § 53-5-708(1).

⁶⁵ Utah Code Ann. § 63G-2-305(10).

⁶⁶ Utah Code Ann. § 63G-2-202.

⁶⁷ See Utah Admin. Code r. 722-300-12.

⁶⁸ Utah Code Ann. § 76-10-523(2).

For a list of states with which Utah has signed formal reciprocity agreements, see the Utah Department of Public Safety, Bureau of Criminal Identification's [Utah Permit Reciprocity](#) page.

Open Carrying in Utah

Utah allows the [open carrying](#) of unloaded firearms on the person with no permit or license required.⁶⁹ Utah allows the open carrying of loaded firearms on the person with a concealed weapons permit.⁷⁰

⁶⁹ Utah Code Ann. § 76-10-505(1).

⁷⁰ Utah Code Ann. §§ 76-10-505(1), 76-10-523.

Location Restrictions

Guns in Vehicles in Utah

(This section was last updated April 1, 2011.)

Utah generally prohibits carrying a concealed firearm, including an unloaded firearm on the person or a firearm that is readily accessible for immediate use and is not securely encased, in a vehicle without the consent of the individual who is lawfully in possession of the vehicle.⁷¹

Utah also generally prohibits carrying a loaded handgun in a vehicle without the consent of the individual who is lawfully in possession of the vehicle.⁷² A person may not possess a loaded long gun in any vehicle.⁷³

However, none of these prohibitions apply if the state has issued to a person a permit to carry a concealed firearm.⁷⁴

⁷¹ Utah Code Ann. § 76-10-504(1).

⁷² Utah Code Ann. § 76-10-505(1).

⁷³ Utah Code Ann. § 76-10-505(3).

⁷⁴ Utah Code Ann. § 76-10-523.

Guns in Schools in Utah

Utah prohibits any person from possessing any firearm at a place that the person knows, or has reasonable cause to believe, is on or about school premises.⁷⁵ “On or about school premises” is defined as:

- In a public or private elementary or secondary school, or on the grounds of any such school;
- In a public or private institution of higher education or on the grounds of any such institution;
- Inside the room or rooms where a preschool or child-care operation is being held.⁷⁶

In 2011, [Utah repealed restrictions](#) governing other buildings, parks and stadiums being used for K-12 school activity, the area within 1,000 feet of school grounds, and other portions of buildings that house preschools and daycare centers.

Concealed weapons permit holders are **not** subject to the prohibition against firearms on or about school premises.⁷⁷ Other exceptions include:

- Firearms used in connection with a lawful, approved activity in the possession or under the control of the person responsible for its possession or use;
- Possession at the person’s place of residence;
- Possession on the person’s property; or
- Possession in any vehicle lawfully under the person’s control, other than a vehicle owned by the school or used by the school to transport students.⁷⁸

In Utah, any student in a public elementary or secondary school who possesses or controls a firearm shall be expelled from school for a period of not less than one year.⁷⁹

While the Utah State Board of Regents generally has the power to enact regulations governing the conduct of university and college students, faculty, and employees, Utah law expressly reserves to the Utah State Legislature the authority to regulate firearms at higher education institutions.⁸⁰ Therefore, while the Utah State Board of Regents maintains limited authority to regulate firearms in the areas listed below, it may not otherwise authorize higher education

⁷⁵ Utah Code Ann. § 76-10-505.5(2).

⁷⁶ Utah Code Ann. § 76-10-505.5(1)

⁷⁷ Utah Code Ann. § 76-10-505.5.

⁷⁸ Utah Code Ann. § 76-10-505.5.

⁷⁹ Utah Code Ann. § 53A-11-904(2)(a), (b).

⁸⁰ Utah Code Ann. § 53B-3-103(1), (2)(a).

institutions to restrict the lawful possession or carrying of firearms.⁸¹ Specifically, the State Board of Regents may authorize a higher education institution to:

- Allow dormitory residents to request only roommates who are not licensed to carry a concealed firearm; or
- Ensure enforcement of rules pertaining to private hearing rooms that have been designated as “secure areas”, meaning that there are restrictions on the transportation of firearms and ammunition into the hearing rooms.⁸²

For more information about the rights of public entities to regulate firearms on public property, see the [Utah State Preemption/Local Authority to Regulate Firearms](#) summary.

See [LCAV's policy page on Guns in Schools](#) for further information.

⁸¹ Utah Code Ann. § 53B-3-103(2).

⁸² Utah Code Ann. §§ 76-8-311.1 and 53B-3-103.

Other Location Restrictions in Utah

Excluding certain exceptions for [concealed weapons permittees](#), Utah generally prohibits the carrying of a loaded firearm:

- In or on a vehicle;
- On any public street; or
- In a posted prohibited area.⁸³

Utah prohibits the carrying of a firearm into a bus terminal or aboard a bus. Concealed firearms permit holders and persons in possession of firearms with the consent of the owner of the bus or the owner's agent are not subject to this prohibition.⁸⁴

Utah prohibits the possession of a firearm within a "secure area" of an airport.⁸⁵ A "secure area" for purposes of this section is an area established by the airport authority where firearms are restricted.⁸⁶ A "secure area" must be located beyond the airport's main area, and must have a notice prominently displayed.⁸⁷ This prohibition applies equally to holders of concealed weapons permits.⁸⁸

Utah authorizes the establishment of "secure areas" in correctional, law enforcement, and mental health facilities.⁸⁹ Utah prohibits the intentional or knowing transportation of a firearm or ammunition into or on any "secure area" of a facility.⁹⁰ State law also bans the knowing possession of a firearm at a correctional facility or in any "secure area" of a mental health facility without the permission of the authority operating the facility.⁹¹ Utah prohibits the transportation of a firearm or ammunition into or on any part of a correctional facility or into a "secure area" of a mental health facility with intent to provide it to an offender.⁹² To be a "secure area" for purposes of these sections, the area must not be normally accessible to the public, must have a notice posted at the entrance, and must have an adjacent area available for storing weapons.⁹³

Utah regarding "secure areas" as equally applicable to concealed weapons permit holders.⁹⁴

⁸³ Utah Code Ann. § 76-10-505(1).

⁸⁴ Utah Code Ann. § 76-10-1507(2).

⁸⁵ Utah Code Ann. § 76-10-529(2).

⁸⁶ Utah Code Ann. § 76-10-529(3).

⁸⁷ Utah Code Ann. § 76-10-529(4).

⁸⁸ Utah Code Ann. § 53-5-710.

⁸⁹ Utah Code Ann. § 76-8-311.1(2)(a).

⁹⁰ Utah Code Ann. § 76-8-311.1(6).

⁹¹ Utah Code Ann. § 76-8-311.3(4)(d).

⁹² Utah Code Ann. § 76-8-311.3(4)(a).

⁹³ Utah Code Ann. §§ 76-8-311.1(1)(e), (3), (4) and 76-8-311.3(2)(g).

⁹⁴ Utah Code Ann. § 76-10-523.5.

State law allows correctional, law enforcement, and mental health facilities to further prohibit or control firearms and ammunition.⁹⁵

Utah prohibits the knowing and intentional transportation or possession of a firearm in a house of worship or private residence if the organization operating the house of worship or the person with lawful right of possession of the private residence has properly given notice that firearms are prohibited.⁹⁶ This prohibition applies equally to concealed weapons permittees.⁹⁷

Utah has no statutes prohibiting firearms in the following places, although administrative regulations may apply:

- Hospitals;
- Sports arenas;
- Gambling facilities;
- Polling places; or
- Establishments that serve alcohol.

⁹⁵ Utah Code Ann. §§ 76-8-311.1(2) and 76-8-311.3(2).

⁹⁶ Utah Code Ann. § 76-10-530.

⁹⁷ Utah Code Ann. § 53-5-710.

Consumer & Child Safety

Utah Design Safety Standards for Handguns

Utah does not specifically regulate junk guns or unsafe firearms.

See [Regulating Guns in America: Design Safety Standards for Handguns](#) for a comprehensive discussion of this issue.

Locking Devices in Utah

Utah does not require a locking device to accompany the sale of a firearm (although [federal law](#) applies), and no state statutes require firearm owners to lock their weapons.

State regulations may govern the safe storage of firearms in certain locations.

See [Regulating Guns in America: Locking Devices](#) for a comprehensive discussion of this issue.

Personalized / Owner-Authorized Firearms in Utah

Utah does not require firearms to be personalized.

See [*Regulating Guns in America: Personalized Firearms*](#) for a comprehensive discussion of this issue.

Utah Child Access Prevention

Utah does not penalize an adult who recklessly or negligently allows a minor access to a firearm.

In Utah, a parent or guardian may not intentionally or knowingly provide a firearm to, or permit the possession of a firearm by, any minor, defined as under age 18, who has been convicted of a violent felony or adjudicated in juvenile court for an offense which would constitute a violent felony if the minor were an adult.⁹⁸

The state also prohibits any parent or guardian of a minor, where the parent or guardian knows that the minor is in possession of a firearm, from failing to make reasonable efforts to remove the firearm from the minor's possession.⁹⁹

For age requirements for the purchase or possession of firearms in Utah, see the [Utah Minimum Age to Purchase / Possess](#) section

See [Regulating Guns in America: Child Access Prevention](#) for a comprehensive discussion of this issue.

⁹⁸ Utah Code Ann. § 76-10-509.6(1).

⁹⁹ Utah Code Ann. § 76-10-509.7.

Classes of Weapons / Ammunition

Assault Weapons in Utah

Utah has no law regulating assault weapons.

See [Regulating Guns in America: Assault Weapons](#) for a comprehensive discussion of this issue.

Large Capacity Ammunition Magazines in Utah

Utah has no law regulating large capacity ammunition magazines.

See [Regulating Guns in America: Large Capacity Ammunition Magazines](#) for a comprehensive discussion of this issue.

Fifty Caliber Rifles in Utah

Utah has no laws regulating fifty caliber rifles.

See [*Regulating Guns in America: Fifty Caliber Rifles*](#) for a comprehensive discussion of this issue.

Machine Guns / Automatic Firearms in Utah

Utah law does not prohibit the possession or transfer of machine guns. Utah law only provides that no person under age 18 may possess a “fully automatic weapon,” which includes a machine gun.¹⁰⁰

Federal law generally allows the possession of machine guns manufactured prior to May 19, 1986 so long as they are registered, and the requirements of state and local law are met.

See [LCAV's policy page on Machine Guns](#) for further information.

¹⁰⁰ Utah Code Ann. § 76-10-509.4.

Non-Powder Guns in Utah

(This section was last updated April 1, 2011.)

Utah has no laws regulating non-powder guns.

See [Regulating Guns in America: Non-Powder Guns](#) for a comprehensive discussion of this issue.

Utah Ammunition Regulation

Utah limits the transportation of ammunition into or within correctional facilities, mental health facilities and institutions of higher education.¹⁰¹ For more information, see the [Utah Location Restrictions](#) section.

Utah does **not**:

- Prohibit the possession of ammunition by [individuals prohibited from possessing firearms](#);
- Require a license for the sale of ammunition;
- Require sellers of ammunition to maintain a record of the purchasers;
- Require a license to purchase or possess ammunition; or
- Prohibit the possession, transfer or use of armor-piercing or other unreasonably dangerous ammunition, although the [federal prohibition on certain kinds of armor-piercing ammunition](#) applies.

See [Regulating Guns in America: Ammunition Regulation](#) for a comprehensive discussion of this issue.

¹⁰¹ Utah Code Ann. §§ 76-8-311.1 and 76-8-311.3.

Crime Gun Investigation

Utah Microstamping/Ballistic Identification

Utah has no laws regarding firearm microstamping or ballistic identification.

See [Regulating Guns in America: Ballistic Identification](#) and LCAV's policy page on [Firearm Microstamping](#) for comprehensive discussions of these issues.

Firearms Trafficking in Utah

Utah penalizes:

- Any person who purchases a firearm with the intent to resell or otherwise provide the firearm to a person ineligible to purchase it from a licensed dealer;¹⁰²
- A firearms dealer who fails to conduct the required background check on a purchaser;¹⁰³ and
- Any person who willfully and intentionally makes a false statement of the information required for a criminal background check.¹⁰⁴

[In 2012, Utah enacted a law](#) penalizing any person who:

- Knowingly solicits, persuades, encourages or entices a dealer or other person to sell, transfer or otherwise dispose of a firearm under circumstances which the person knows would be a violation of the law; or
- Provides to a dealer or other person what the person knows to be “materially false information” with intent to deceive the dealer or other person about the legality of a sale, transfer or other disposition of a firearm. "Materially false information" means information that portrays an illegal transaction as legal or a legal transaction as illegal.¹⁰⁵

See [LCAV's policy page on Firearms Trafficking](#) for further information.

¹⁰² Utah Code Ann. § 76-10-527(4)(a) and (b).

¹⁰³ Utah Code Ann. §§ 76-10-526, 76-10-527.

¹⁰⁴ Utah Code Ann. § 76-10-527.

¹⁰⁵ Utah Code Ann. § 76-10-503(9).

Utah State Links

[Bureau of Alcohol, Tobacco, Firearms and Explosives, Denver Field Division \(CO, MT, UT, WY\)](#)

[Utah Attorney General](#)

[Gun Violence Prevention Center of Utah](#)

[Utah Domestic Violence Council](#)

[Utah Office on Domestic and Sexual Violence](#)