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July 7, 2014

Stephanie A. Altig,
Deputy Attorney General
Idaho State Police
700 S. Stratford Drive
Meridian, ID 83642

Dear Deputy Attorney General Altig:

I am writing in response to your July 1, 2014, letter regarding the New Enhanced Idaho Concealed Weapons License.

There are no licensing or permitting requirements in Vermont law regarding the carrying of firearms whether concealed or otherwise. As such, Vermont cannot enter into a reciprocity agreement to recognize another State's license to carry concealed firearms. Additionally, for this same reason it would not be accurate to state that Vermont recognizes Idaho's Enhanced Concealed Weapons License.

Vermont law does not restrict who may carry a firearm. I have enclosed a copy of Chapter 85 of the Title 13 of the Vermont Statutes. This chapter places certain restrictions on the places that firearms may be carried and the circumstances under which possession of a firearm may be a criminal offense. I have also enclosed 10 V.S.A. § 4705, which prohibits the carrying of certain firearms in vehicles under certain circumstances.

Please do not hesitate to contact me if you have any further questions regarding these matters.

Sincerely,

A handwritten signature in black ink that reads "John Treadwell". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

John Treadwell
Assistant Attorney General

The Vermont Statutes Online

Title 13: Crimes and Criminal Procedure

Chapter 85: WEAPONS

§ 4001. Slung shot, blackjack, brass knuckles-Use or possession

A person who uses a slung shot, blackjack, brass knuckles or similar weapon against another person, or attempts so to do, or who possesses a slung shot, blackjack, brass knuckles, or similar weapon, with intent so to use it, shall be imprisoned not more than five years or fined not more than \$1,000.00 or both. The provisions of this section do not apply to a law enforcement officer as to the possession and use of a blackjack, billy club or night stick.

§ 4002. Manufacture, sale, etc.

A person within the state who manufactures or causes to be manufactured, or sells or gives away or parts with, or offers so to do, or keeps for sale or gift, a slung shot, blackjack, brass knuckles or similar weapon, shall be imprisoned not more than two years or fined not more than \$500.00, or both. This section shall not apply to the manufacture of a blackjack, billy club or nightstick for a law enforcement officer or the sale or gift thereto. (Amended 1981, No. 223 (Adj. Sess.), § 23.)

§ 4003. Carrying dangerous weapons

A person who carries a dangerous or deadly weapon, openly or concealed, with the intent or avowed purpose of injuring a fellow man, or who carries a dangerous or deadly weapon within any state institution or upon the grounds or lands owned or leased for the use of such institution, without the approval of the warden or superintendent of the institution, shall be imprisoned not more than two years or fined not more than \$200.00, or both.

§ 4004. Possession of dangerous or deadly weapon in a school bus or school building or on school property

(a) No person shall knowingly possess a firearm or a dangerous or deadly weapon while within a school building or on a school bus. A person who violates this section shall, for the first offense, be imprisoned not more than one year or fined not more than \$1,000.00, or both, and for a second or subsequent offense shall be imprisoned not more than three years or fined not more than \$5,000.00, or both.

(b) No person shall knowingly possess a firearm or a dangerous or deadly weapon on any school property with the intent to injure another person. A person who violates this section shall, for the first offense, be imprisoned not more than two years or fined not more than \$1,000.00, or both, and for a second or subsequent offense shall be imprisoned not more than three years or fined not more than \$5,000.00, or both.

(c) This section shall not apply to:

(1) A law enforcement officer while engaged in law enforcement duties.

(2) Possession and use of firearms or dangerous or deadly weapons if the board of school directors, or the superintendent or principal if delegated authority to do so by the board, authorizes possession or use for specific occasions or for instructional or other specific purposes.

(d) As used in this section:

(1) "School property" means any property owned by a school, including motor vehicles.

(2) "Owned by the school" means owned, leased, controlled or subcontracted by the school.

(3) "Dangerous or deadly weapon" has the meaning defined in section 4016 of this title.

(4) "Firearm" has the meaning defined in section 4016 of this title.

(5) "Law enforcement officer" has the meaning defined in section 4016 of this title.

(e) The provisions of this section shall not limit or restrict any prosecution for any other offense, including simple assault or aggravated assault. (Amended 1989, No. 143 (Adj. Sess.), § 1; 1999, No. 113 (Adj. Sess.), § 11.)

§ 4005. While committing a crime

Except as otherwise provided in 18 V.S.A. § 4253, a person who carries a dangerous or deadly weapon, openly or concealed, while committing a felony shall be imprisoned not more than five years or fined not more than \$500.00, or both. (Amended 1967, No. 296 (Adj. Sess.), § 1, eff. March 20, 1968; 2011, No. 121 (Adj. Sess.), § 4, eff. May 9, 2012.)

§ 4006. Record of firearm sales

All pawnbrokers and retail merchants dealing in firearms shall keep a record book in which they shall record the sale by them of all revolvers and pistols, and the purchase by them of all secondhand revolvers and pistols. Such record shall include the date of the transaction, the marks of identification of the firearm, including the manufacturer's name, the caliber, model and manufacturer's number of the firearm, the name, address, birthplace, occupation, age, height, weight and color of eyes and hair of the purchaser or seller. Such purchaser or seller shall sign his or her name to the record and the pawnbroker or merchant shall preserve such record book for six years after the date of last entry and shall permit all enforcement officers to inspect the same at all reasonable times. A person, partnership or corporation who violates a provision of this section shall be fined not more than \$100.00.

§ 4007. Furnishing firearms to children

A person, firm or corporation, other than a parent or guardian, who sells or furnishes to a minor under the age of 16 years a firearm or other dangerous weapon or ammunition for

firearms shall be fined not more than \$50.00 nor less than \$10.00. This section shall not apply to an instructor or teacher who furnishes firearms to pupils for instruction and drill.

§ 4008. Possession of firearms by children

A child under the age of 16 years shall not, without the consent of his or her parents or guardian, have in his or her possession or control a pistol or revolver constructed or designed for the use of gunpowder or other explosive substance with leaden ball or shot. A child who violates a provision of this section shall be deemed a delinquent child under the provisions of chapter 52 of Title 33.

§ 4009. Negligent use of gun

A person who carelessly or negligently wounds another person by gunshot shall be imprisoned not more than five years or fined not more than \$1,000.00, or both. (Amended 1971, No. 199 (Adj. Sess.), § 15.)

§ 4010. Gun silencers

A person who manufactures, sells, uses, or possesses with intent to sell or use an appliance known as or used for a gun silencer shall be fined \$25.00 for each offense. The provisions of this section shall not prevent the use or possession of gun silencers by:

(1) a certified, full-time law enforcement officer or department of fish and wildlife employee in connection with his or her duties and responsibilities and in accordance with the policies and procedures of that officer's or employee's agency or department; or

(2) the Vermont National Guard in connection with its duties and responsibilities. (Amended 2009, No. 154 (Adj. Sess.), § 238f, eff. June 3, 2010.)

§ 4011. Aiming gun at another

Any person who shall intentionally point or aim any gun, pistol or other firearm at or towards another, except in self-defense or in the lawful discharge of official duty, shall be punished by fine not exceeding \$50.00. Any person who shall discharge any such firearm so intentionally aimed or pointed shall be punished by imprisonment for not more than one year or fined not more than \$100.00, or both.

§ 4012. Reporting treatment of firearm wounds

(a) Every physician attending or treating a case of bullet wound, gunshot wound, powder burn, or any other injury arising from or caused by the discharge of a gun, pistol, or other firearm, or whenever such case is treated in a hospital, sanitarium or other institution, the manager, superintendent or other person in charge shall report such case at once to local law enforcement officials or the state police. The provisions of this section shall not apply to such wounds, burns or injuries received by a member of the armed forces of the United States or state of Vermont while engaged in the actual performance of duty.

(b) A person violating the provisions of this section shall be fined not more than \$100.00.

§ 4013. Zip guns; switchblade knives

A person who possesses, sells or offers for sale a weapon commonly known as a "zip" gun, or a weapon commonly known as a switchblade knife, the blade of which is three inches or more in length, shall be imprisoned not more than 90 days or fined not more than \$100.00, or both. (1959, No. 151, eff. May 5, 1959; amended 1981, No. 223 (Adj. Sess.), § 23.)

§ 4014. Purchase of firearms in other states

Residents of the state of Vermont may purchase rifles and shotguns in another state, provided that such residents conform to the applicable provisions of the Gun Control Act of 1968, and regulations thereunder, as administered by the United States Bureau of Alcohol, Tobacco, Firearms and Explosives, and provided further that such residents conform to the provisions of law applicable to such purchase in the state of Vermont and in the state in which the purchase is made. (Added 1969, No. 108, § 1, eff. April 19, 1969; amended 2009, No. 54, § 86, eff. June 1, 2009.)

§ 4015. Purchase of firearms by nonresidents

Residents of a state other than the state of Vermont may purchase rifles and shotguns in the state of Vermont, provided that such residents conform to the applicable provisions of the Gun Control Act of 1968, and regulations thereunder, as administered by the United States Bureau of Alcohol, Tobacco, Firearms and Explosives, and provided further that such residents conform to the provisions of law applicable to such purchase in the state of Vermont and in the state in which such persons reside. (Added 1969, No. 108, § 2, eff. April 19, 1969; amended 2009, No. 54, § 87, eff. June 1, 2009.)

§ 4016. Weapons in court

(a) As used in this section:

(1) "Courthouse" means a building or any portion of a building designated by the supreme court of Vermont as a courthouse.

(2) "Dangerous or deadly weapon" means any firearm, or other weapon, device, instrument, material or substance, whether animate or inanimate, which in the manner it is used or is intended to be used is known to be capable of producing death or serious bodily injury.

(3) "Firearm" means any weapon, whether loaded or unloaded, which will expel a projectile by the action of an explosive and includes any weapon commonly referred to as a pistol, revolver, rifle, gun, machine gun or shotgun.

(4) "Law enforcement officer" means a person certified by the Vermont criminal justice training council as having satisfactorily completed the approved training programs required to meet the minimum training standards applicable to that person pursuant to 20 V.S.A. § 2358.

(5) "Secured building" means a building with controlled points of public access, metal

screening devices at each point of public access, and locked compartments, accessible only to security personnel, for storage of checked firearms.

(b) A person who, while within a courthouse and without authorization from the court,

(1) carries or has in his or her possession a firearm; or

(2) knowingly carries or has in his or her possession a dangerous or deadly weapon, other than a firearm, shall be imprisoned not more than one year or fined not more than \$500.00, or both.

(c) Notice of the provisions of subsection (b) of this section shall be posted conspicuously at each public entrance to each courthouse.

(d) No dangerous or deadly weapon shall be allowed in a courthouse that has been certified by the court administrator to be a secured building. (Added 1993, No. 45, § 1, eff. June 2, 1993.)

The Vermont Statutes Online

Title 10: Conservation and Development

Chapter 113: GAME

Sub-Chapter 001: General Provisions

10 V.S.A. § 4705. Shooting from motor vehicles or aircraft; shooting from or across highway; permit

§ 4705. Shooting from motor vehicles or aircraft; shooting from or across highway; permit

(a) A person shall not take, or attempt to take, a wild animal by shooting from a motor vehicle, motorboat, airplane, snowmobile, or other motor propelled craft or any vehicle drawn by a motor propelled vehicle except as permitted under subsection (e) of this section.

(b) A person shall not carry or possess while in or on a vehicle propelled by mechanical power or drawn by a vehicle propelled by mechanical power within the right of way of a public highway a rifle or shotgun containing a loaded cartridge or shell in the chamber, mechanism, or in a magazine, or clip within a rifle or shotgun, or a muzzle-loading rifle or shotgun that has been charged with powder and projectile and the ignition system of which has been enabled by having an affixed or attached percussion cap, primer, battery, or priming powder, except as permitted under subsections (d) and (e) of this section. A person who possesses a rifle or shotgun in or on a vehicle propelled by mechanical power, or drawn by a vehicle propelled by mechanical power within a right of way of a public highway shall upon demand of an enforcement officer exhibit the firearm for examination to determine compliance with this section.

(c) A person while on or within 25 feet of the traveled portion of a public highway shall not take or attempt to take any wild animal by shooting a firearm, a bow and arrow, or a crossbow. A person shall not shoot a firearm, a bow and arrow, or a crossbow over or across the traveled portion of a public highway.

(d) This section shall not restrict the possession or use of a loaded firearm by an enforcement officer in performance of his duty.

(e) Subsection (a) of this section shall not apply to a licensed hunter who is a paraplegic or is certified by a physician to be unable to pursue game because of permanent severe physical disability, if he obtains a permit as provided in this subsection. The Commissioner on receipt of satisfactory proof of the disability of an applicant may issue a permit under this subsection. This permit shall be attached to the license, and shall remain in effect until the death of the holder, unless the Commissioner has reason to believe the permit is misused. The holder of the permit shall carry it at all times while hunting, and shall produce it on demand for inspection by any game warden or other law enforcement officer authorized to make arrests. The holder of the permit may take game from a vehicle or boat

but only if it is stationary and off of a public highway. In no event shall the holder of a permit shoot across the traveled portion of a public highway.

(f) The phrase "public highway," as used in this section, means roads shown on the highway maps of the respective towns, made by the agency of transportation, but does not include foot trails or private roads. (Added 1961, No. 119, § 1, eff. May 9, 1961; amended 1967, No. 279 (Adj. Sess.), § 1, eff. March 12, 1968; 1969, No. 35; 1973, No. 178 (Adj. Sess.), § 2; 1977, No. 103, § 2, eff. May 6, 1977; 1977, No. 143 (Adj. Sess.); 1991, No. 13, § 4; 1997, No. 99 (Adj. Sess.), § 7; 2003, No. 163 (Adj. Sess.), § 15a; 2007, No. 97 (Adj. Sess.), § 3; 2013, No. 78, § 12a.)
