



Ohioans For Concealed Carry, Inc.
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August 8, 2011

To Whom It May Concern:

The purpose of this letter is to ask for your assistance in educating law enforcement officers and citizens concerning the substantive changes to Ohio's firearms law set to take effect on September 30, 2011. We hope that through the concerted efforts of your department and OFCC, we can reduce misunderstandings that sometimes occur in the first few months after a change in state law.

Ohioans for Concealed Carry is an Ohio not-for-profit corporation organized in 1999 to advocate for the rights of responsible Ohio gun owners. OFCC's first mission was to pass a concealed carry law in Ohio, which it accomplished in 2004. Since then, OFCC has reached out to concealed carry licensees with news and information intended to facilitate safety and compliance with the law.

As you may know, Ohio Senate Bill 17 (SB17) was signed by Governor Kasich on June 30, and its provisions will become law on September 30. The new law specifies changes to the way a loaded handgun may be carried by a CHL holder in a motor vehicle, and allows CHL holders to carry in businesses with a Class D liquor license.

We have created a flier (attached) that summarizes these changes. We hope that you will make this critical information available to as many of your law enforcement officers as possible.

We know your agency is probably out in front of these pending changes. Still, issues occasionally arise throughout the state during major revisions in the law. We hope with this letter to put any possible confusion to rest.

If you would like to discuss this further, please feel free to contact OFCC's Chris Harben at 888-881-2559, ext. 6, or you can fax any concerns or comments to the same number. Additionally, we invite you and everyone in your agency to visit our web site www.ohioccw.org for more information.

Respectfully,
Ohioans For Concealed Carry, Inc.

Attachments: Flier (2 pages)

LICENSED CONCEALED CARRY IN A MOTOR VEHICLE

CURRENT LAW

AS OF SEPTEMBER 30, 2011

1. In a motor vehicle, a loaded handgun must be in a holster on the person's person, *[reference R.C. 2923.16(E)(1)(a)]* **OR,**

2. The loaded handgun must be in a closed case, bag, box, or other container that is in plain sight and that has a lid, a cover, or a closing mechanism with a zipper, snap, or buckle, which lid, cover, or closing mechanism must be opened for a person to gain access to the handgun, *[reference R.C. 2923.16(E)(1)(b)]* **OR,**

3. The loaded handgun must be securely encased by being stored in a closed glove compartment or vehicle console, or in a case that is locked. *[reference R.C. 2923.16(E)(1)(c)]*

4. A CHL holder may not remove or attempt to remove a loaded handgun from the holster, case, bag, box, container, or glove compartment, knowingly grasp or hold the loaded handgun, or knowingly have contact with the loaded handgun by touching it with the hands or fingers while the motor vehicle is being operated on a street, highway, or public property, unless instructed otherwise by a law enforcement officer. *[reference R.C. 2923.16(E)(2)]*

5. If a CHL holder is the driver or occupant of a motor vehicle that is stopped for a law enforcement purpose, and if they have a loaded handgun in the vehicle, they must promptly inform the officer that they have been issued a license to carry a concealed handgun, and that they have a loaded handgun in the vehicle. *[reference R.C. 2923.16(E)(3)]*

1. This rule will no longer exist.

2. This rule will no longer exist.

3. This rule will no longer exist.

4. This rule will no longer exist.

5. This rule remains the same.

continued 

LICENSED CONCEALED CARRY IN A MOTOR VEHICLE, CON'T.

CURRENT LAW

AS OF SEPTEMBER 30, 2011

6. If a CHL holder is the driver or occupant of a motor vehicle that is stopped for a law enforcement purpose, and if they have a loaded handgun in the vehicle, they must remain in the vehicle while stopped and keep their hands in plain sight, unless directed otherwise by a law enforcement officer. *[reference R.C. 2923.16(E)(4)]*

7. If a CHL holder is the driver or occupant of a motor vehicle that is stopped for a law enforcement purpose, and if they have a loaded handgun in the vehicle, they may not have contact with the loaded handgun by touching it with the hands or fingers at any time, unless directed otherwise by a law enforcement officer. *[reference R.C. 2923.16(E)(5)]*

6. This rule remains the same.

7. This rule remains the same.

LICENSED CONCEALED CARRY IN CLASS D PREMISES

CURRENT LAW

AS OF SEPTEMBER 30, 2011

Concealed carry is prohibited any place alcohol is sold to be consumed on the premises (establishments that hold a Class D liquor license). The law provides exceptions for Class D6 locations (liquor sold on Sunday for off-premise consumption), and Class D8 locations (tasting samples of beer, wine, or mixed beverages offered for consumption on premises), but the licensee may not consume alcohol or be under the influence of alcohol or a drug of abuse. *[reference R.C. 2923.121(A) and R.C. 2923.121(B) (1)(e)]*

Concealed carry licensees may carry in all establishments that sell alcohol for consumption on their premises (establishments that hold a Class D liquor license, including restaurants, bars, open-air venues, and sports arenas), as long as those establishments are not posted as prohibiting firearms, and the licensee does not consume alcohol and is not under the influence of alcohol or a drug of abuse. *[reference R.C. 2923.121(B) (1)(e) revised]*