

Flying with Firearms



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Flying with Firearms – Rules & Regulations

There are two primary regulations that determine how to carry firearms on commercial aircraft:

- TSA - Transporting Firearms and Ammunition.
<https://www.tsa.gov/travel/transporting-firearms-and-ammunition>
- 49 CFR § 1540.111 - Carriage of weapons, explosives, and incendiaries by individuals.
<https://www.law.cornell.edu/cfr/text/49/1540.111>

NOTE: Familiarize yourself with the TSA rules and specific airline policies. Every airline has slightly different rules for traveling with firearms.

Traveling with Firearms – Storage Preparation

- TSA regulations mandate that the passenger use a hard sided non-flexible locked case that cannot be bent or pried open. NOTE: If the case open enough to allow the firearm to be touch with a finger, it is considered unsuitable for use.
- Use standard locks and you should be the sole possessor of the key/combination. Also, you MUST NOT use TSA locks on your gun case! (TSA locks can secure your luggage)
- ALL locking points on your case must be secured with a lock (i.e. two holes, two locks)
- Ammunition is prohibited from carry-on luggage! Ammunition must be transported in the manufacturer's packaging or other packaging suitable for transport.

Traveling with Firearms – Storage Preparation

Example of suitable hard sided nonflexible gun cases for travel.



Traveling with Firearms – Storage Preparation

My personal Pelican branded case for travel.



- The firearm must be completely unloaded.
- Magazine(s) should be empty .
- Ammo must be in an appropriate container and stored separately from firearm.
- Failure to follow these steps can lead to confiscation of your firearm by the TSA.
- A “declaration card” will be put on top of your gun case and placed inside your baggage and then checked in for the flight.
- Rifle scopes and optics can be checked Federal law makes an exception for this

NOTE: 11 pounds of ammo is the limit you can carry on a commercial flight. Ammunition over 75 caliber is prohibited!



Traveling with Firearms – General Procedure

- Arrive at the airport early to ensure you have enough time to work through any potential problems or issues.
- DO NOT take firearms to the airline checkpoint! DO NOT put the firearm inside your carry-on luggage! Do not place into the baggage you plan to check until it is declared to the airline!
- Declare your firearm at the ticket counter. Simply state you have a firearm/secure package to check. (Toy guns get checked too).
- If you run into issues with an uninformed agent, request to have TSA come resolve the matter.
- You'll be given a "declaration card" to fill out (some airlines may charge a fee to carry on plane). This is proof that you declared the firearm and it meets TSA and airline regulations.
- The declaration card will be put on top of your gun box and placed inside your baggage and checked in.
- NOTE: Some airlines may walk you to the TSA area at this point and have the luggage checked by TSA and x-Ray scanned to ensure compliance.
- All checked baggage is subject to inspection. If during the inspection process it is necessary to open the container, the air carrier is required to locate the passenger and the passenger must unlock the container for further inspection.



Traveling with Firearms – Luggage Secured Once Firearm is Declared and Checked-In

- **NOTE: You may want to consider the use of TSA locks for your carry-on luggage. As you can secure your own baggage as TSA has access using TSA keys to access if necessary. Your firearm has been inspected and cleared and inaccessible as you are the sole owner of the key/combination of the gun case locks.**

Traveling with Firearms – Items not Allowed in your Carry-On Luggage

Things you cannot take with you on the aircraft that must be checked with the firearm include:

- Ammunition
- Magazines
- Suppressors/Silencers
- Firing Pins

In general, ANYTHING that is considered part of a firearm!

Again, rifle scopes and optics can be checked Federal law makes an exception for this.

Traveling with Firearms – Research the Firearms Laws of your Destination!

- Make sure that you research and are up to speed on the local gun laws/restrictions for your intended destination and any connecting flights!
- This of course, should be done EVERY time you travel, but even more so when flying as you could be in violation of both local and federal laws.
- Special advisory for New York & New Jersey airports: Despite federal law that protects travelers, authorities at JFK, La Guardia, Newark, and Albany airports have been known to enforce state and local firearm laws against airline travelers who are passing through their jurisdictions. In some cases, even persons traveling in full compliance with federal law have been arrested or threatened with arrest.
- Firearm Owners' Protection Act (FOPA) protections have been substantially narrowed by court decisions in certain parts of the country, particularly in the Northeast. Persons traveling through New York and New Jersey airports may want to consider shipping their firearms to their final destinations rather than bringing them through airports in these jurisdictions.

Traveling with Firearms – Research the Firearms Laws of your Destination (continued)

Finally, the United States Department of Justice has issued a written opinion that federal law protects airline travelers with firearms, assuming:

- (1) The person is traveling from somewhere he or she may lawfully possess and carry a firearm;
- (2) En route to the airport the firearm is unloaded and inaccessible from the passenger compartment of the person's vehicle;
- (3) The person transports the firearm directly from his vehicle to the airline check-in desk without any interruption in the transportation, and
- (4) The firearm is carried to the check-in desk unloaded and in a locked container.

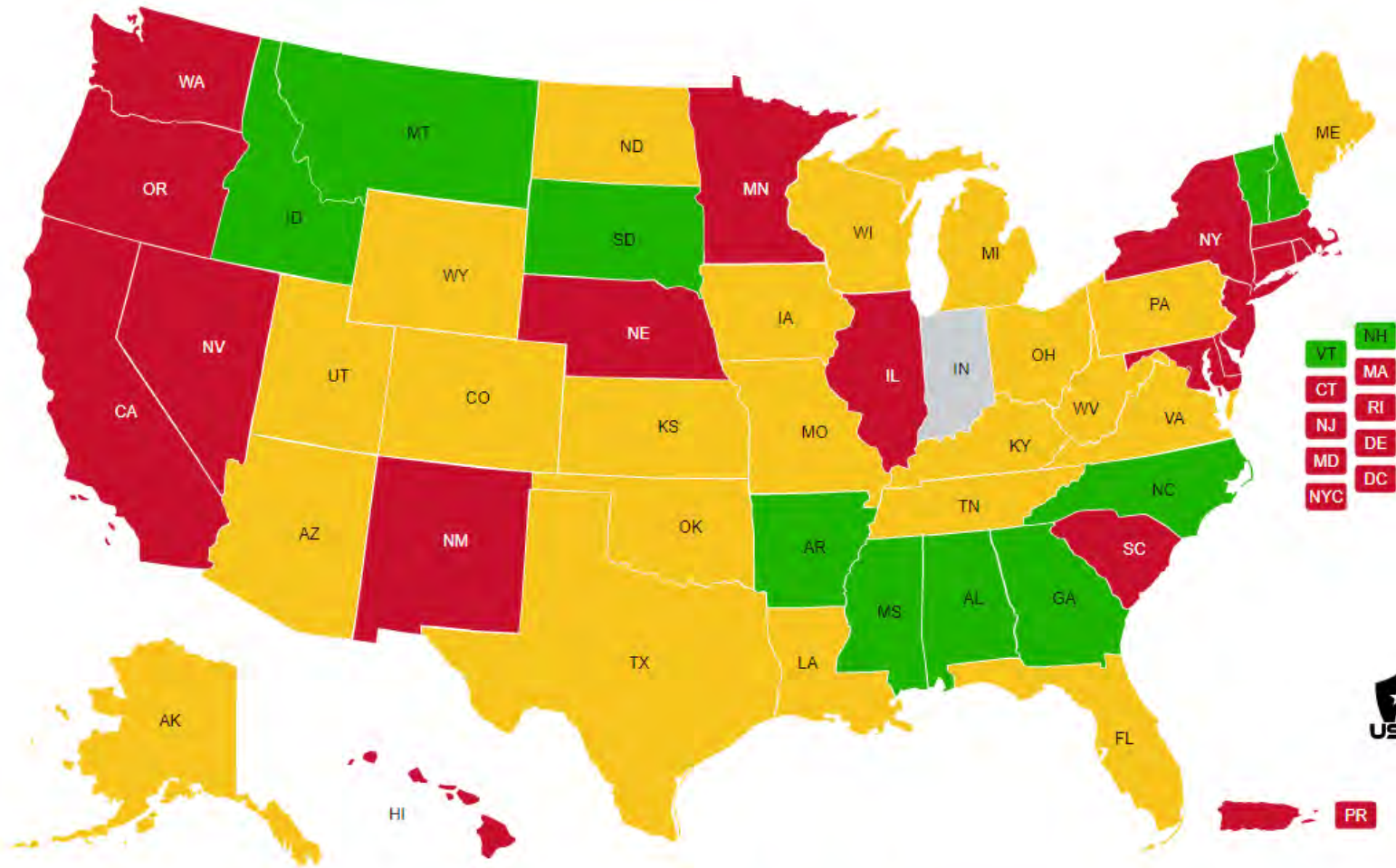
Otherwise, travelers should strictly comply with FOPA and with airline and TSA policies regarding firearms transportation, avoid any unnecessary deviations on the way to checking in their baggage, be well acquainted with the firearms laws of the jurisdictions between which they are traveling, have any necessary permits or licenses ready for inspection, and have copies of relevant provisions of current law or reciprocity information printed from official sources.



Indiana

Concealed Carry Reciprocity Map & Gun Laws

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Carry allowed with my Indiana permit? No Yes [Yes, With Restrictions](#) Yes, Selected State(s)

Summary – Air Travel with Firearms





**WARNING - TSA Administrator David Pekoske
Dec 2022**



Questions